Segregation - 1917

THE SUPREME COURT'S DECISION

A Full Statement of the Reasons for the Opinion.

Richmond Planet 11-18-17

Justice Day Delivers the Mandate--A Unanimous Conclusion--A Great Victory for Human Rights and Property.

The Segregation Cases pending before the Supreme Court of the United states were brought by the authority and support of the National Association for the Advancement of Colored People. In cooperation with this movement, Editor John Mitchell, Jr. was consulted and upon his recommendation, the brilliant young attorney, Mr. Alfred Cohen was formally employed. Mr. Cohen had been foremost in other cases in this state. He held that the ordinance was unconstitutional.

THE SUPPLEMENTARY DATA.

Counsel for the Association then decided to have him file the supplementary data from this state. This was made essentially necessary as City Attorney H. R. Pollard had filed an illustrated brief, showing the prosperity of the colored people of Richmond under the Jim Crow Car Laws. Mr. William A. Jordan and his committee were especially active and photographer George W. Brown's services were secured to show the other side of the controversy. The result is shown by the decree of the Supreme Court of the United States. We have been able to present it to our readers at this time through the courtesy of that able legal luminary City Attorney H. R. Pollard, Sr. Here it is in its entirety:

SUPREME COURT OF THE UNITED STATES.

No. 33.—October Term, 1917.

Charles H. Buchanan, Plaintiff in Error,

vs.

William Warley.

In Error to the Court of Appeals of the State of Kentucky.

(November 5, 1917.)

Mr. Justice Day delivered the opinion of the Court.

Buchanan, plaintiff in error brought an action in the Chancery Branch of Jefferson Circuit Court of Kentucky for the specific performance of a contract for the sale of certain real estate situated in the City of Louisville at the corner of 37th Street and Pflanz Avenue. The offer in writing to purchase the property contained a proviso:

THE BASIS OF THE CONTRACT.

"It is understood that I am purchasing the above property for the purpose of having erected thereon a house which I propose to make my residence, and it is a distinct part of this agreement that I shall not be required to accept a deed to the above property or to pay for said property unless I have the right, under the laws of the State of Kentucky, and the City of Louisville, to occupy said property as a residence." This offer was accepted by the plaintiff.

COULD NOT OCCUPY IT.

To the action for specific performance the defendant by way of answer set up the condition above set forth, that he is a colored person, and that on the block of which the lot in controversy is a part, there are ten residences, eight of which at the time of the making of the contract, were occupied by white people, and only two (those nearest the lot in question) were occupied by colored people, and that under and by virtue of the ordinance of the City of Louisville, approved May 11, 1914, he would not be allowed to occupy the lot as a place of residence.

IN VIOLATION OF CONSTITUTION

In reply to this answer the plaintiff set up, among other things, that the ordinance was in conflict with the Fourteenth Amendment to the Constitution of the United States, and hence no defense to the action for specific performance of the contract.

In the court of original jurisdiction in Kentucky, and in the Court of Appeals of that State, the case was made to turn upon the constitutional validity of the ordinance. The Court of Appeals of Kentucky, 165 Ky. 559, held the ordinance valid and of itself a complete defense to the action.

LIKE RICHMOND ORDINANCE.

The title of the ordinance is: "An ordinance to prevent conflict and illfeeling between the white and colored races in the City of Louisville and to preserve the public peace and promote the general welfare by making reasonable provisions requiring as far as practicable, the use of separate blocks for residences, places of abode, and places of assembly by white and colored people, respectively."

By the first section of the ordinance it is made unlawful for any colored person to move into and occupy as a residence, place of abode or to establish and maintain a place of public assembly any house upon any block upon which a greater number of houses are occupied as residences, places of abode, or places of public assembly by white people than are occupied as residences, places of abode, or places of public assembly by colored people.

A DISTINCTION WITHOUT A DIFFERENCE.

Section 2 provides that it shall be unlawful for any white person to move into and occupy as a residence, place of abode, or to establish and maintain as a place of public assembly any house upon any block upon which a greater number of houses are occupied as residences, places of abode or places of public assembly by colored people than are occupied as residences, places of abode or places of public assembly by white people.

Section 4 provides that nothing in the ordinance shall effect the location of residences, places of abode or places of assembly made previous to its approval; that nothing contained therein shall be construed so as to prevent the occupancy of residences, places of abode or places of assembly by white or colored servants or employees or occupants of such residences, places of abode or places of public assembly on the block on which they are so employed, and that nothing therein contained shall be construed to prevent any person who, at the date of the passage of the ordinance, shall have acquired or possessed the right to occupy any building as a residence, place of abode or place of assembly from exercising such a right; that nothing contained in the ordinance shall prevent the owner of any building, who, when the ordinance became effective, leased, rented, or occupied it as a residence, place of abode or place of public assembly for colored persons, from continuing to rent, lease or occupy such residence, place of abode, or place of assembly for such persons, if the owner shall so desire; but if such house should, after the passage of the ordinance, be at any time leased, rented or occupied as a residence, place of abode or place of assembly for white persons, it shall not thereafter be used for colored persons, if such occupation would then be a violation of section one of the ordinance; that nothing contained in the ordinance shall prevent the owner of any building, who when the ordinance became effective, leased, rented or occupied it as a residence, place of abode, or place of assembly for such purpose, if the owner shall so desire, but if such household, after the passage of the ordinance, be at any time leased, rented or occupied as a residence, place of abode or place of assembly for colored persons, then it shall not thereafter be used for white persons, if such occupation would then be a violation of Section Two thereof.

VIOLATION A PUNISHABLE OFFENSE.

The ordinance contains other sections and a violation of its provisions is made an offense.

The assignments of error in this court attack the ordinance upon the ground that it violates the Fourteenth Amendment of the Constitution of the United States, in that it abridges the privileges and immunities of citizens of the United States to acquire and enjoy property, takes property without due process of law, and denies equal protection of the laws.

The objection is made that this writ of error should be dismissed because the alleged denial of constitutional rights involves only the rights of colored persons, and the plaintiff in error is a white person. The court has frequently held that while an unconstitutional act is no law, attacks upon the validity of laws can only be entertained when made by those whose rights are directly affected by the law or ordinance in question. Only such persons, it has been settled, can be heard to attack the constitutionality of the law or ordinance. But this case does not run counter to that principle.

SOLD BY A WHITE MAN.

The property here involved was sold by the plaintiff in error, a white man, on the terms stated, to a colored man; the action for specific performance was entertained in the court below, and in both courts the plaintiff's right to have the contract enforced was denied solely because of the effect of the ordinance making it illegal for a colored person to occupy the lot sold. But for the ordinance the State courts would have enforced the contract, and the defendant would have been compelled to pay the purchase price and take a conveyance of the premises. The right of the plaintiff in error to sell his property was directly involved and necessarily impaired because it was held in effect that he could not sell the lot to a person of color who was willing and ready to acquire the property, and had obligated himself to take it. This case does not come within the class wherein this court has held that where one seeks to avoid the enforcement of a law or ordinance, he must present a grievance of his own and not rest the attack upon the alleged violation of another's rights. In this case the property rights of the plaintiff in error are directly and necessarily involved. See Truax v. Raich, 239 U. S. 33, 38.

THE CASE UPON ITS MERITS.

We pass then to a consideration of the case upon its merits. This ordinance prevents the occupancy of a lot in the City of Louisville by a person of color in a block where the greater number of residences are occupied by white persons; where such a majority exists, colored persons are excluded. This interdiction is based wholly upon color; simply that and nothing more. In effect, premises situated as are those in question in the so-called white block are effectively debarred from sale to persons of color, because if sold, they cannot be occupied by the purchaser nor by him sold to another of the same color.

A DRASTIC MEASURE.

This drastic measure is sought to be justified under the authority of the State in the exercise of the police power. It is said such legislation tends to promote the public peace by preventing racial conflicts; that it tends to maintain racial purity; that it prevents the deterioration of property owned and occupied by white people, which deterioration, it is contended, is sure to follow the occupancy of adjacent premises by persons of color.

The authority of the State to pass laws in the exercise of the police power, having for their object the promotion of the public health, safety and welfare is very broad, as has been affirmed in numerous and recent decisions of this court. Furthermore, the exercise of this power, embracing nearly all legislation of a local character, is not to be interfered with by the courts where it is within the scope of legislative authority and the means adopted reasonably tend to accomplish a lawful purpose. But it is equally well established that the police power, broad as it is, cannot justify the passage of a law or ordinance which runs counter to the limitations of the Federal Constitution; that principle has been so frequently affirmed in this court that we need not stop to cite the cases.

THE SUPREME LAW.

The Federal Constitution and laws passed within its authority are by the express terms of that instrument made the supreme law of the land. The Fourteenth Amendment protects life, liberty and property from invasion by the states without due process of law. Property is more than the mere thing which a person owns. It is elementary that it includes the right to acquire, use and dispose of it. The Constitution protects these esential attributes of property. Holden v. Hardy, 169 U. S. 366, 391. Property consists of the free use, enjoyment and disposal of a person's acquisitions without control or diminution save by the law of the land. 1 Blackstone's Commentaries, (Cooley's Ed.) 127.

OUTSIDE OF THE LIMITATIONS.

True it is that dominion over property springing from ownership is not absolute and unqualified. The disposition and use of property may be controlled in the exercise of the police power in the interest of the public health, convenience or welfare. Harmful occupations may be controlled and regulated. Legitimate business may also be regulated in the interest of the public. Certain pieces of property may be confined to portions of the muuicipality other than the resident districts, such as livery stables, brick-yards and the like, because of the impairment of the health and comfort of the occupants of neighboring property. Many illustrations might be given from the decisions of this Court, and other courts, of this principle, but these cases do not touch the one at bar.

THE CONCRETE QUESTION.

The concrete question here is: May the occupancy, and necessarily, the purchase and sale of property of which occupancy is an incident, be inhibited by the States, or by one of its municipalities, solely because of the color of the proposed occupant of the premises? That one may dispose of his property, subject only to the control of lawful enactments curtailing that right in the public interest, must be conceded. The question now presented makes it pertinent to enquire into the constitutional right of the white man to sell his property to a colored man, having in view the legal status of the purchaser and occupant.

THE WAR AMENDMENTS.

Following the Civil War, certain amendments to the Federal Constitution were adopted, which have become an integral part of that instrument, equally binding upon all the States and fixing certain fundamental rights which all are bound to respect. The Thirteenth Amendment abolished slavery in the United States and in all places subject to their jurisdiction, and gave Congress power to enforce the Amendment by appropriate legislation. The Fourteenth Amendment made all persons born or naturalized in the United States, citizens of the United States and of the States in which they reside, and provided that no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, and that no State shall deprive any person of life, liberty or property without due process of law, nor deny to any person the equal protection of the laws.

THE SLAUGHTER HOUSE CASES.

The effect of these amendments was first dealt with by this Court in the Slaughter House Cases, 16 Wallace 36. The reasons for the adoption of the amendments were elaborately considered by a court familiar with the times in which the necessity for the amendments arose, and with the circumstances, which impelled their adoption. In that case, Mr. Justice Miller, who spoke for the majority, pointed out that the colored race, having been freed from slavery by the Thirteenth Amendment, was raised to the dignity of citizenship and equality of civil rights by the Fourteenth Amendment, and the States were prohibited from abridging the privileges and immunities of such citizens, or depriving any person of life, liberty or property without due process of law. While a principle purpose of the latter Amendment was to protect persons of color, the broad language used was deemed sufficient to protect all persons, white or black, against discriminatory legislation by the States. This is now the settled law. In many of the cases since arising the question of color has not been involved and the cases have been decided upon alleged violations of civil or property rights, irrespective of the race or color of the complainant. In the Slaughter House cases it was recognized that the chief inducement to the passage of the Amendment was the desire to extend Federal protections to the recently emancipated race from unfriendly and discriminating legislation by the States.

ANOTHER CASE CITED.

In Strauder v. West Virginia, 100 U. S. 303, this court held that a colored person charged with an offense was denied due process of law by a statute which prevented colored men from sitting on the jury which tried him. Mr. Justice Strong, speaking for the Court, again reviewed the history of the Amendments, and among other things, in speaking of the Fourteenth Amendment, said:

"It (the Fourteenth Amendment) was designed to assure to the colored race the enjoyment of all the civil rights that under the law are enjoyed by white persons, and to give to that race the protection of the general government in that enjoyment, whenever it should be denied by the States. It not only gave citizenship and privileges of citizenship to persons of color, but it denied to any State the power to withhold from them the equal protection of the laws, and authorized Congress to enforce its provisions by appropriate legislation. * * * It ordains that no State shall make or enforce any laws which may abridge the privilege or immunities of citizens of the United States. * * * It ordains that no State shall deprive any person of life, liberty or property without due process of law, or deny to any person within its jurisdiction the equal protection of the laws.

ALL EQUAL BEFORE THE LAW.

"What is this but declaring that the laws in the States shall be the same for the black as for the white, that all persons, whether colored or white, shall stand equal before the laws of the States, and, in regard to the colored race (for whose protection the Amendment was primarily designed) that no discrimination shall be made against them because of their color?

"The Fourteenth Amendment makes no attempt to enumerate the rights it designs to protect. It speaks in general terms and those are as comprehensive as possible. Its language is prohibitory; but every prohibition implies the existence of rights and immunities, prominent among which is an immunity from inequality of legal protection either for life, liberty or property. Any State action which denies this immunity to a colored man is in conflict with the Constitution."

A VIRGINIA CASE.

Again this Court in Ex parte Virginia, 100 U. S. 339, 347, speaking of the Fourteenth Amendment, said:

"Whoever by virtue of public position under a State Government, deprives another of property, life or liberty, without due process of law, or denies or takes away the equal protection of the laws, violates the constitutional inhibition; and as he acts in the name and for the State and is clothed with the State's power, his act is that of the State."

In giving legislative aid to these constitutional provisions, Congress enacted in 1866, Chap. 31, Sec. 1, 14th Stat. 27, that:

"All citizens of the United States shall have the same right in every State and Territory as is enjoyed by white citizens thereof, to inherit, purchase, lease, sell, hold and convey real and personal property."

SPECIFIC CITATIONS.

And in 1870, by Chap. 114, Sec. 16, 16th Stat. 144, that:

"All persons within the jurisdiction of the United States, shall have the same right in every State and Territory to make and enforce contracts, to sue be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses and exactions of every kind, and no other."

In the face of these constitutional and statutory provisions, can a white man be denied, consistently with due process of law, the right to dispose of his property to a purchaser by prohibiting the occupation of it for the sole reason that the purchaser is a person of color intending to occupy the premises as a place of residence?

THE RIGHT TO PURCHASE.

The statute of 1866, originally passed under the sanction of the Thirteenth Amendment, 14 Stat. 27, and practically re-enacted after the adoption of the Fourteenth Amendment, 16 Stat. 144, expressly provided that all citizens of the United States in any State shall have the same right to purchase property as is enjoyed by white citizens. Colored persons are citizens of the United States and have the right to purchase property and enjoy and use the same without laws discriminating against them solely on account of color. Hall v. De Cuir, 95 U. S. 485, 508. These enactments did not deal with the social rights of men, but with those fundamental rights in property which it was intended to secure upon the same terms to citizens of every race and color. Civil Rights Cases, 109 U. S. 3, 22. The Fourteenth Amendment and these statutes enacted in furtherance of its purpose, operate to qualify and entitle a colored man to acquire property without State legislation discriminating against him solely because of color.

NOT A CASE IN POINT.

The defendant in error insists that Plessy v. Ferguson, 163 U. S. 537, is controlling in principle in favor of the judgment of the Court below. In that case this Court held that a provision of a statute of Louisiana requiring Railway Companies carrying pasengers to provide, in their coaches, equal, but separate accommodations, for the white and colored races, did not run counter to the provisions of the Fourteenth Amendment. It is to be observed that in that case there was no attempt to deprive persons of color of transportation in the coaches of the public carrier, and the express requirements were for equal though separate accommodations for the white and colored races. In Plessy v. Ferguson, classification of accommodations was permitted upon the basis of equality of both races.

THE BEREA CASE.

In the Berea College Case, 211

(See next Card)

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(From foregoing Card)
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. S. 45, a State statute was sustained in the Courts of Kentucky, which, while permitting the education of white persons and negroes in different localities by the same incorporated institution, prohibited their attendance at the same place, and in this court, the judgment of the Court of Appeals of Kentucky was affirmed solely upon the reserved authority of the Legislature of Kentucky to alter, amend, or repeal charters of its own corporations, and the question here involved was neither discussed nor decided.

In Cary v. City of Atlanta, 143 Georgia, 192, the Supreme Court of Georgia, holding an ordinance, similar in priciple to the one herein involved, to be invalid, dealt with Plessy v. Ferguson and the Berea College Case, in language so apposite that we quote a portion of it:

EQUAL SEPARATE PRIVILEGES.

"In each instance the complaining person was afforded the opportunity to ride, or to attend institutions of learning, or afforded the thing of whatever nature to which, in the particular case, he was entitled. The most that was done was to require him, as a member of a class to conform with reasonable rules in regard to the separation of the races. In none of them was he denied the right to use, control, or dispose of his property, as in this case. Property of a person, whether as a member of a class or as an individual, cannot be taken without due process of law. In the recent case of McCabe v. Atchison, ets., Ry. Co., 235 U. S. 151, where the Court had under consideration a statute which allowed railroad companies to furnish dining-cars for white people and to refuse to furnish dining-cars altogether for colored persons, this language was used in reference to the contentions of the attorney general; 'This argument with respect to volume of traffic, seems to us to be without merit. It makes the constitutional right depend upon the number of persons who may be discriminated against, whereas the essence of the constitutional right is that it is a personal one.' * * *

DESTROYED THE RIGHT.

"The effect of the ordinance under consideration was not merely to regulate a business or the like, but was to destroy the right of the individual to acquire, enjoy and dispose of his property. Being of this character, it was void as being opposed to the due process clause of the Constitution."

That there exists a serious and difficult problem arising from a feeling of race hostility which the law is powerless to control, and to which it must give a measure of consideration, may be freely admitted. But its solution cannot be promoted by depriving citizens of their constitutional rights and privileges.

NOT SEGREGATION
BUT CONFISCATION.

As we have seen, this Court has held laws valid which separated the races on the basis of equal accommodations in public conveyances, and courts of high authority have held enactments lawful which provide for separation in the public schools of white and colored pupils where equal privileges are given. But in view of the rights secured by the Fourteenth Amendment to the Federal Constitution, such legislation must have its limitations, and cannot be sustained where the exercise of authority exceeds the restraints of the Constitution. We think these limitations are exceeded in laws and ordinances of the character now before us.

It is the purpose of such enactments, and, it is frankly avowed it will be their ultimate effect, to require, by law, at least in residential districts the compulsory separation of the races on account of color. Such action is said to be essential to the maintenance of the purity of the races, although it is to be noted in the ordinance under consideration that the employment of colored servants in white families is permitted, and nearby residences of colored persons, not coming within the block as defined in the ordinance, are not prohibited.

NOT AMALGAMATION ISSUE.

The case presented does not deal with an attempt to prohibit the amalgamation of the races. The right which the ordinance annulled was the civil right of a white man to dispose of his property if he saw fit to do so to a person of color, and of a colored person to make such a disposition to a white person.

It is urged that this proposed segregation will promote the public peace by preventing race conflict. Desirable as this is, and important as is the preservation of the public peace, this aim cannot be accomplished by laws or ordinances which deny rights created, or protected by the Federal Constitution.

It is said that such acquisition by colored persons depreciate property owned in the neighborhood of white persons. But property may be acquired by undesirable white neighbors or put to disagreeable, though lawful uses, with like results.

NOT IN POWER OF THE STATE.

We think this attempt to prevent the alienation of the property in question to a person of color was not a legitimate exercise of the police power of the State, and is in direct violation of the fundamental law enacted in the Fourteenth Amendment of the Constitution, preventing State interference with property rights except by due process of law. That being the case the ordinance cannot stand. Booth v. Illinois, 184 U. S. 425, 429; Otis v. Parker, 187 U. S. 606, 609.

Reaching this conclusion it follows that the judgment of the Kentucky Court of Appeals must be reversed, and the cause remanded to that Court for further proceedings not inconsistent with this opinion.

Reversed.

A true copy.
Teste:
Clerk Supreme Court, U. S.

THE CITY ATTORNEY'S OPINION.

Hon. H. R. Pollard, the very able City Attorney of Richmond, through the brilliant Assistant City Attorney George Wayne Anderson has officially notified Police Justice John J. Crutchfield, the tireless and brainy presiding genius of this city that there can be no further prosecutons in the segregation cases now before his court and that this piece of legislation, known as the segregation ordinance is a dead letter, so to speak.

One of the note-worthy cases was that of the Leigh Street M. E. Church at Fifth and Leigh streets. The property purchased from a white congregation fronted on a "white block" with its side entrance on a "colored block." The congregation, at an expense of five hundred dollars made an opening on the side of the colored block and closed up the side fronting on the white block.

Even after this, court proceedings were instituted and at the trial of the case some time ago, the jury of white men disagreed and the case was dropped. After the decision of the Supreme Court of the United States in the Segregation Cases, the congregation opened the other doors and they were cited to appear for trial. The letter of City Attorney Pollard and his colleague resulted in the dismissal of the proceedings.

We are glad that it is so. The decision in these cases simply restores the status of the colored people in this city, where it was originally,—among the real-estate agents here who have the interest of both classes of people at heart and who by their rent lists can easily locate the people of either race without undue friction on the part of anybody.

Because we have the right, is no reason why we should exercise it in a manner to cause undue trouble. White folks hereabout and colored folks too, for that matter, respect the feeling and sensibilities of each other without necessarily infringing upon the constitutional rights and privileges of each other.

The decision by the Supreme Court of the United States has not brought to bear the state of unrest and friction that some people presumed that it would bring about. Colored folks are not making efforts to locate in white communities, but are conservatively adjusting themselves to existing conditions and only from natural and necessary causes are they moving into residences long since vacated by white tenants who have gone into the new additions for white people to live.

We may not exercise our constitutional rights, but we are happy in the knowledge that we can exercise them when we so desire. Colored folks in the Southland think they understand a large proportion of the white folks, certainly those of the better class and they do not need any special legislation to force them to do what they have no idea of doing,—inconveniencing and embarrassing the white friends among whom they have lived so long.

SEGREGATION LAW I

The Supreme Court of t
States has just handed down a
which holds that the "Compulsory separation of the Negro and white races in residential districts is a violation of the Constitution." The ruling was altogether unqualified and sweeping and was concurred in unanimously.

"Such laws," the court decided, "would not prevent the amalgamation of the races, or prevent race riots," as had been claimed by those advocating and espousing it. "Desirable as this is and important as is the preservation of peace, this aim cannot be accomplished by law or ordinances which deny rights created or protected by the federal constitution," runs the opinion.

Several of the lower courts, in various states where this matter had been brought up, usually based upon substantially the same grounds and lines of reasoning, had upheld such ordinances coming from cities and towns within their jurisdiction,—through narrowness and prejudice or misconception and misintrepretation of the law. Either cause is bad enough.

We hope that this adjudication will put a final stop to the matter, the aquitatem of which has caused much vexation, annoyance, inconvenience and expense in many communities. Negro home-owners and purchasers, mostly in select neighborhoods where they had built up comfortable surroundings and comforts, have been intimidated and driven out at times. These incidents have not always taken place in the smaller towns, for Atlanta, Baltimore, St. Louis and Louisville and others have been guilty of such outrages.

The Supreme Court of the United States, as was expected of it, has risen in its pre-eminece and high vision of unwavering Justice, and put its foot on this species of class discrimination and race hate. It could not afford to do less and maintain its own self-respect and the respect of its great constituency—the great people of the United States. There is but one right way, one standard of justice, and no temporizing, quibbling or subterfuge can ever settle great social and moral questions like this one under discussion. Surely, "no question is ever settled until it is settled right."

This victory is a splendid compliment to the untiring zeal and manly courage of the National Association for the Advancement of Colored People and other similar organizations who have fought this menace and injustice, consistently, courageously and intelligently.

These agencies stand out in such striking contrast to the weak, vacillating, trucking and obsequious sycophants, whose idea of racial self-respect permits them to cringe and to beg eternally.

We have got to fight our way up, like all the other races of the earth

have done, through intelligence and character and the power which organized effort and money alone can give.

There is no other way but this.

AMERICAN

Baltimore, Md.

MAR 3 1917

NEGRO SANITATION PROBLEM BIG ONE

MAYOR PRESTON'S COMMITTEE SETS ABOUT ITS TASK.

JUDGE NILES IS CHAIRMAN

Steering Committee Named to Decide Upon Some Feasible Plan of Action—Object Is to Better the Housing and Living Conditions of 90,000 Negroes in Baltimore—Public Schools to Be Given First Consideration.

Although cognizant of the fact that the problem before them is a huge one, Mayor Preston's committee to consider better housing and living conditions for the 90,000 negroes in Baltimore is going at its task with a determination to obtain practical results. The committee held its first meeting yesterday in the Mayor's reception-room at the City Hall, and following its organization and a discussion of the problem a steering committee was formed to decide upon some feasible plan of action.

Former Judge Alfred S. Niles, who has given deep thought to the housing and living conditions of the colored population of the city for some few years, was unanimously chosen chairman of the committee. Dr. William T. Howard, Jr., assistant commissioner of health, was elected secretary.

The success with which the colonization plan has met in other cities was explained and debated and the advisability of providing for a certain percentage of the colored population of Baltimore in this manner was also discussed. It was suggested that those houses in which colored people live which are found to be unsanitary should be razed and thus eradicated and that parked areas should be established in their place, thus providing breathing places in the congested alleys and courts.

Mayor Preston attended the meeting of the committee, and declared that the first step toward solving the problem should be in the public school, where the colored children should be taught hygiene and the personal value of sanitation in the homes. He promised also that the city would soon be able to provide some further means of providing for some of those colored people who are victims of tuberculosis and for whom the state has provided no adequate care.

He declared it was the purpose of the city to devote the funds to be received from the sale of quarantine to the establishment of a municipal hospital for infectious and contagious diseases in the city, and that by this Sydenham would be relieved and could be enlarged. Dr. John D. Blake, the commissioner of health, gave some interesting facts regarding the death rate among the colored people, and he explained what steps the Health Department had already taken to relieve conditions.

All sides of the subject were opened for discussion, and as each subject was taken up it opened a still broader field for the work of the committee. Thus the size of the task which confronts the committee was realized. It was finally suggested to turn the investigations over to the steering committee. Those named on this committee were Alfred S. Niles, Dr. Janeway, Dr. Howard; President Riggs, of the Police Board, and Mrs. Williams.

"FLATS AND ROOMS FOR NEGROES ONLY"

BROOKLYN N Y EAGLE
SEPTEMBER 27. 1917

Landlady of Hotel Magawa Is Angry at Losing Her Liquor License.

SAYS SHE WAS ILL TREATED.

Has Put Big Sign of "Lodging House" on Lake Agawam Hotel.

(Special to The Eagle.)

Southampton, L. I., September 27—Because the Hotel Mawaga, which derives its name from Lake Agawam, the name being spelled backwards, is included in the number of places which will lose their liquor licenses as a result of the Town Excise Board's probe, the owner and proprietor, Miss Alice Lye, has resorted to a unique plan to "get even" with the community in general for being deprived of her business of "trafficking in liquors." Miss Lye and her hotel manager, Ernest Extance, believe that undue discrimination was shown in depriving the Hotel Mawaga of its license.

Miss Lye says that a petition was secretly circulated in the neighborhood to influence the Excise Board against her place, as when the members of the board visited her hotel to investigate its condition they commended her upon its well-kept appearance, cleanliness and splendid accommodations.

The hotel faces on Lake Agawam and the property extends from the lake to Main street, and besides the hotel building it has three smaller dwellings and the large house facing on Main street. Miss Lye's plan for revenge for being denied her liquor license is to cut the property up into building lots and offer inducements for their sale to colored people, and to rent flats in the hotel, the small dwellings and the large house on Main street to colored or Polish families. With this idea in view she has had erected large signs upon the lawn facing Main street which read:

> **Lots For Sale.**
> **to Colored**
> **People Only**
> **No Restrictions.**

Another sign reads:

> **For Rent:**
> **Flats and Rooms**
> **to Colored**
> **Families Only**

Another large sign has replaced the former hotel sign and upon this in bold letters is inscribed: "Lodging house," "Quick Lunch." Its conspicuousness is evidently intended for the annoyance of neighbors in the quiet residential neighborhood.

SEGREGATION AND HYPOCRISY.

When our fair city was visited by a disastrous fire about four weeks ago and while embers were still burning in the ash heaps hypocrits were quick to say that God had sent the flames upon Atlanta in order to bring segregation upon the municipality. With great headlines, the dailies published columns of rot about parks; trained architects levelled their genius upon the smitten Negro district to figure out ways and means to inflict segregation upon the Gate City of the South; local preachers and deacons, councilmen and lawyers, merchants and whatnot, of our white citizens, held meeting after meeting, devising ways and means to segregate the loyal colored people of the fourth ward, who, but a few days after the fire, registered two thousand, four hundred and odd, of its young men in this very ward alone as their offering to the President to lay down their lives as soldiers for this very city and country.

Now many of the white people long on prayer and mighty on foreign missions, own largely of the alley property in Mississippi Bottom, in Buttermilk Alley, in Glass' Alley, and like places. And while these same white missionary people are in large lecture halls taxing their brains to keep law-abiding, educated, self-respecting and decent colored people from living on decent property they own, they are building shacks and shot-gun cabins upon every inch of the alley area in the burned district for the occupancy of the lowest forms of Negro life. They are building these shacks so thick and so close that the poor Negro devil who rents it, has his back door end where the front door of his neighbor begins. What a spectacle in fair play and decency it is for our white neighbors to be splitting their shirts about Negro occupancy on Houston, Irwin, Jackson and Cain Streets, and, if they would turn their pockets, they would disclose contracts already let for building miserable shanties on their alley property to be tenanted by wanton Negroes who scarcely fear God or regard man.

But this is the true spirit of segregation. As it manifests itself, it stands as the active opponent of the well-to-do and respecting Negro and, mad about the Negro's advancement, wishes to throttle him by hooking him up with the worse forms of the race. It is a notorious fact that many colored people, who owned property in the burned district, were harassed out of their lives by the miserable tenants whom the white men would put into the back alleys adjacent to their homes.

But the Independent has always shown that all this park talk and other talk about building was pure rot. The idea of the city spending a half million dollars for a park and not enough money in the treasury to buy a first-class pump for the water station, and going in a hole to run a water main to accommodate the soldiers at the cantonement at Silver Lake. "It just can't be did, that's all."

The only purpose served by our daily papers was to keep alive the flames of race antagonism. Our daily papers will print a strong editorial for race harmony on one page and then use ten times as much type in the same paper with segregation stuff that more than offsets the good of the editorial page. This thing will stop when newspapers get to be big and great like Mr. Watterson and Mr. Grady and Mr. Pendleton; when they will create sentiment that is righteous and not fall down on their knees and cater to the prejudices of those who never have made and never will make this state and this Republic.

SALE TO NEGROES ANGERS NEIGHBORS

Last Orange Owners Placard Houses "For Sale" Following Indignation Meeting.

NEWARK N J NEWS
AUGUST 17, 1917

TRY, THOUGH, TO CALL DEAL OFF

Resenting the action of the Community Homes Company of this city in contracting to sell a house at 43 Telford street, East Orange, to a colored family, twenty-five property owners of that thoroughfare held an indignation meeting last night and decided to place "For Sale" signs on their homes so as to depreciate the property values and "freeze out" the new purchaser. Today close to fifty houses in the thoroughfare were placarded, while Frederick Penniston, representing the property owners, will try to induce the company to call the deal off.

The meeting, which was held in the office of Thomas J. Hicks, Halsted street and Central avenue, was presided over by former Tax Assessor Frederick Germann, a property owner in the thoroughfare. All present decided not to sell to any negroes. Further action was deferred till a meeting to be held in the near future.

The purchaser of the property, George A. Webb of 50 Oakwood place, Orange, is said to have agreed to pay $4,000 for it, the deal being transacted through the office of Victor D. Burgesser of Central avenue. The Homes company, it is said, offered to sell to the property owners, but at a higher price than was paid by Mr. Webb. Tax Assessor James G. Barradale, an extensive property owner in the street, was one of those instrumental in calling the meeting.

Mr. Hicks stated today that he understood that the home sold to Mr. Webb had been secured by the Homes company through a foreclosure. As far as he was able to ascertain, he said, the property is the sole remaining interests of the company in the thoroughfare. At one time, Mr. Hicks said, the company held a number of mortgages, but it is the prevailing opinion that they have all been paid off.

Neither the telephone nor city directory lists the Community Homes Company. The property owners claim, however, that the representative is Howard Peck, a lawyer, with offices in the Prudential building. Mr. Peck could not be located this morning and it was stated in his office that they knew nothing of the company. At Mr. Burgesser's office it was stated that he was out of town and probably would not return until tomorrow.

Segregation – 1917

SUPREME COURT DECLARES SEGREGATION VOID.

Afro American 11/10/17.

Renders Sweeping Decision Regarding Property Rights of American Citizens.

Washington, D. C., Nov. 8.—By a unanimous decision, the Supreme Court of the United States has declared the Louisville Segregation ordinance unconstitutional and therefore void. Based on the ordinance passed by the Baltimore City Council, and approved by Mayor Preston, several years ago, segregation ordinances were passed by several cities in the south, including Louisville, Ky. The decision deals with the Louisville ordinance, but applies to all cities which have passed such ordinances segregating the white from the colored population. Below are excerpts from the decision as handed down, and showes the main contention of the Court:

"We pass then to a consideration of the case upon its merits. This ordinance prevents the occupancy of a lot in the City of Louisville by a person of color in a block where the greater number of residence are occupied by white persons; where such a majority exists colored persons are excluded. This interdiction is based wholly upon color; simply that and nothing more. In effect, premises situated as are those in question in the so-called white block are effectively debarred from sale to persons of color, because if sold they cannot be occupied by the purchaser nor by him sold to another of the same color.

"This drastic measure is sought to be justified under the authority of the State in the exercise of the police power. It is said such legislation tends to promote the public peace by preventing racial conflicts; that it tends to maintain racial purity; that it prevents the deterioration of property owned and occupied by white people, which deterioration, it is contended, is sure to follow the occupancy of adjacent premises by persons of color.

"The authority of the State to pass laws in the exercise of the police power, having for their object the promotion of the public health, safety and welfare is very broad as has been affirmed in numerous and recent decisions of this court. Furthermore the exercise of this power, embracing nearly all legislation of a local character is not to be interfered with by the courts where it is within the scope of legislative authority and the means adopted reasonably tend to accomplish a lawful purpose. But it is equally well established that the police power, broad as it is, **cannot justify the passage of a law or ordinance which runs counter to the limitations of the Federal Constitution.**

"The Federal Constitution and laws passed within its authority are by the express terms of that instrument made the supreme law of the land. The Fourteenth Amendment protects life, liberty, and property from invasion by the states without due process of law. Property is more than the mere thing which a person owns. It is elementary that it includes the right to acquire, use, and dispose of it. The Constitution protects these essential attributes of property.

"The concrete question here is: May the occupancy and, necessarily, the purchase and sale of property of which occupancy is an incident, be inhibited by the states, or by one of its municipalities, solely because of the color of the proposed occupant of the premises? that one may dispose of his property, subject only to the control of lawful enactments curtailing that right in the public interest, must be conceded. The question now presented makes it pertinent to enquire into the constitutional right of the white man to sell his property to a colored man, having in view the legal status of the purchaser and occupant.

"Following the Civil War certain amendments to the Federal Constitution were adopted, which have become an integral part of that instrument, equally binding upon all the states and fixing certain fundamental rights which all are bound to respect. The Thirteenth Amendment abolished slavery in the United States and in all places subject to their jurisdiction, and gave Congress power to enforce the Amendment by appropriate legislation. The Fourteenth Amendment made all persons born or naturalized in the United States, citizens of the United States and of the states in the states in which they reside, and provided that no state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, and that no state shall deprive any person of life, liberty, or property without due process of law, nor deny to any person the equal protection of the laws.

"That there exists a serious and difficult problem arising from a feeling of race hostility which the law is powerless to control, and to which it must give a measure of consideration, may be freely admitted. But its solution cannot be promoted by depriving citizens of their constitutional rights and privileges.

"As we have seen, this court has held laws valid which separated the races on the basis of equal accommodations in public conveyances, and courts of high authority have held enactments lawful which provide for separation in the public schools of white and colored pupils where equal privileges are given. But in view of the rights secured by the Fourteenth Amendment to the Federal Constitution such legislation must have limitations, and cannot be sustained where the exercise of authority exceeds the restraints of the Constitution. We think these limitations are exceeded in laws and ordinances of the character now before us.

"It is the purpose of such enactments, and, it is frankly avowed it will be their ultimate effect, to require by law, at least in residential districts, the compulsory separaton of the races on account of color. Such action is said to be essential to the maintenance of the purity of the races, although it is to be noted in the ordinance under consideratipn that the **employment of colored servants in white families is permitted, and nearby residences of colored persons not coming within the blocks, as defined in the ordinance, are not prohibited.**

"The case presented does not deal with an attempt to prohibit the amalgamation of the races. The right which the ordinance annulled was the civil right of a white man to dispose of his property if he saw fit to do so to a person of color and of a colored person to make such disposition to a white person.

"It is urged that this proposed segregation will promote the public peace by preventing race conflicts. Desirable as this is, and important as is the preservation of the public peace, this aim cannot be accomplished by laws or ordinances which deny rights created or protected by the Federal Constitution.

"It is said that such acquisitions by colored persons depreciate property owned in the neighborhood by white persons. But property may be acquired by undesirable white neighbors or put to disagreeable though lawful uses with like results.

"We think this attempt to prevent the alienation of the property in question to a person of color was not a legitimate exercise of the police power of the State, and is in direct violation of the fundamental law enacted in the Fourteenth Amendment of the Constitution preventing state interference with property rights except by due process of law. That being the case the ordinance cannot stand."

Savannah Tribune
11-24-17

Segregation Cases To Be Reargued Before Supreme Court.

Particular interest is lent to the admission of W. Ashbie Hawkins to practice before the Supreme Court at this time by reason of the fact that he has been retained by an interested group of citizens in Baltimore to represent them in the segregation cases that are to be reargued at an early date. It will be remembered that a number of cities throughout the country some months ago adopted laws requiring Colored and white people to live in restricted districts—that they must be kept separate, under conditions varying with per cents of each race that may have their habitat in certain blocks or sections. These statutes are in effect in Louisville, Atlanta, Richmond, Baltimore, Norfolk, St. Louis and perhaps other places, and have come to be known as "segregation laws," and considered detrimental to the proper housing of thrifty Colored persons. The case argued some time ago before the Supreme Court, and which did not reach a decision, was that of Buchanan vs. Warley, and involved the validity of the segregation law adopted by the City of Louisville, Ky. Changes in the personnel of the court have made it expedient to review the cases in toto and several of the cities in which the law is in operation have agreed to allow the Louisville case to stand as the test for all cases at issue.

Briefs will be filed by at least four cities in this test, the list including Louisville, Baltimore, Richmond and St. Louis. Some of the ablest legal talent in the country will be utilized by the defendant cities and a "battle royal" is promised. The Hon. Moorfield Storey, of Boston, will direct the side of the anti-segregationists, and he will have the assistance of brilliant counsel drawn from both races. He will be backed by the National Association for the Advancement of Colored People, Equal Rights League and other strong organizations that specialize in issues involving civil rights and social justice. As has been stated W. Ashbie Hawkins will be associated with the case on behalf of the people of Baltimore, and it is expected that courageous Colored lawyers of St take a lively interest i nthe proceedings as they develop. Louis, Richmond and Louisville will

Washington, along with the rest of the country, is on the qui vive, and will keep a close watch on the progress of the case. This city has no segregation laws and will not have any. For some reason the white and the Colored people have little friction over the matter of residential sections. When Negroes get into a given block, the whites just move out, and their places are taken by Colored people, until entire districts are populated by Negroes, embracing some of the choicest spots in this "City Beautiful." The whites are on the suburban hills and are not often disturbed by the encroachment of Colored neighbors. The "problem" thus far seems to solve itself and no segregation statutes appear to be necessary. Citizens here insist upon their right to buy homes where they choose, but up to date they have managed to find suitable abodes in sections where no objection is raised. This city is more fortunate than most places in the excellence of the houses available for Colored buyers.

GRAND RAPIDS MICH TRADSM
NOVEMBER 14, 1917

NO MORE RACE SEGREGATION

By a unanimous decision, our highest tribunal has declared the Louisville city ordinance establishing a segregated district for colored people in direct violation of the Constitution, and, therefore, null and void. This is the most important decision that has been handed down by the Supreme Court since the Dred Scott case, and, happily, this time it is the right way. It was anticipated that the prejudice of some judges might lead them to dissent from the conclusion, but the unanimous opinion of the Court is a great victory for the cause. To Mr. Moorfield Storey, of Boston, who argued the case, and to the National Association for the Advancement of Colored People, which carried it up, congratulations are especially due. When it is recalled that the Chief Justice is from Louisiana and that Mr. McReynolds is a Tennesseean, the significance of the unanimity of the Court is apparent.

It is, of course, not only the Louisville ordinance which is affected, but every other attempt to establish a negro "pale" on American soil. For all time the Supreme Court has laid it down that the most hateful institution of the Russia which has passed away shall not be set up under the American flag. What these Southern cities had undertaken to do was to draw absolute limits around a given district and so say to the colored people that they could not purchase a foot of land to dwell upon beyond that. It made no difference what the conditions of overcrowding were. Unless private enterprise platted entirely new sections, the negroes were to get on as best they could. It was legislation against thrift, against the desire to rise which all Americans hold so dear, against the acquirement of property, against the right to move about freely and to live where one wishes. Liberty and the pursuit of happiness were denied to any negro who desired to leave the segregated district for the dangerous purpose of seeking better quarters, better light, purer air, better playgrounds, and better association for his children.

Of course, it was sought to disguise the real meaning of this segregation under the pretence that the purpose was to arrest and prevent racial antagonism. The Supreme Court, in the decision read by Justice Day, admitted the existence of "a serious and difficult problem arising from a feeling of race hostility;" everybody recognizes that this feeling is often intensified in urban communities where the races live in close juxtaposition, and where the pushing into newer sections by a given group may cause financial loss. New York City knows it well, not only in connection with our colored citizens, but with other

racial groups and the invasion of trade. What old New Yorker but recalls the cry of rage and dismay when the first shop was opened on Fifth Avenue? But, while recognizing the racial difficulty, the Supreme Court brushes it all aside, saying: "Its solution cannot be promoted by depriving citizens of their Constitutional rights and privileges. The right which the ordinance annulled was the civil right of a white man to dispose of his property, if he saw fit to do so, to a person of color, and of a colored person to make such disposition to a white person." It entirely rejected the theory that the ordinance in question was a legitimate exercise of the police powers of the state, and again upheld the doctrine that the police power cannot, whatever the excuse, override the Constitution —a salutary deliverance just at this time, when magistrates and other officials are deliberately overriding the Constitution under such pretexts as "disorderly conduct."

It is a cause for no little satisfaction in this period of flux that we have this remarkable demonstration of the value of a written Constitution. It has been the fashion to abuse it, although we have just seen the curious spectacle of the New York Socialists declaring themselves to be the sole defenders of our organic law. But, as in the case of the "grandfather-clause" laws to disfranchise colored men, the Supreme Court has again shown itself a true bulwark of the liberties and rights of the colored population of the United States. By this last decision it has dealt a severe blow to those reactionaries in the South who seek ever to force the negro into position of inferiority and to add immeasurably to his difficulties of earning a livelihood and living a useful and respectable life. When the Berea College case was decided by the Supreme Court in favor of the Kentucky law forbidding the co-education of the races, it seemed as if this great tribunal had definitely placed itself on the side of those who would degrade and depress our colored citizenship. That decision, Justice Brewer said, made possible a law forbidding Jews from going to market except during certain hours. Monday's decision makes it certain that there will be no "reservations" for Jews or negroes or Chinese, or any other of our racial groups. For this there are millions to-day giving profound thanks and taking new hope as they bear the heavy burdens of the disadvantaged.

BLACK CLOUDS

Negro Immigration from Southern States Said to Have Totaled 200,000 in Three Years

It is said that the Negro immigrants to Chicago from southern states totaled 200,000 in the last three years.

The North Side is flooded with them and they are settling the North Side between the river on the south and west, North avenue on the north and the lake on the east.

The South Side is the main settlement for them.

The Chicago Tribune of Wednesday, September 19, said:

Three hundred property owners in the district bounded by Thirty-ninth street, Fifty-first street, Cottage Grove avenue and Madison boulevard met last night to discuss plans for keeping "undesirables" out of the zone.

That was the statement of William Kirk, a realty dealer, 404 East Forty-seventh street, who was elected secretary of the organization, which is known as the Community Property Owners' Protective Association.

William O'Brien in addressing the meeting said:

"We don't want any gentlemen of color or gentlemen off color in our midst."

A number of the speakers refused to give their names, declaring the meeting was not for the public and should be kept secret.

Plans were discussed to raise $400 for the work. A number of Negroes now live in the district. The meeting was held at Warwick Hall, East Forty-seventh street and St. Lawrence avenue.

Negroes to Oppose Proposed 'Zone' Law

[illegible] 1917

The Bay Cities Defense League, a negro organization of Oakland, met last night to discuss the recent action of the North Oakland residents in seeking passage of an ordinance establishing a zone in which negroes must reside.

At the meeting the negros expressed the belief that the City Council would not take action of this sort, in view of the quiet, law-abiding manner in which the negroes have lived. A committee was appointed to combat the ordinance. George McCard, John C. Rivers, James Summers and George Ingrahain were named.

LEBANON PA LUTHERAN
DECEMBER 6, 1917

The Advent of Our God

We enter a new Church Year. Besides the fact that the date is moved forward there will, speaking generally, be nothing new about it. The same lessons will be read and the same hymns sung, and the sermons will follow the same general lines, with, of course, in this case all the infinite variety that comes from a thoughtful application of the unchangeable Word to shifting circumstances. Is there not an advantage in these annual repetitions? Do they not confirm our impression that our Lord is the same "yesterday, today, and forever"? Are we not increasingly thankful that our religion is a fixed quantity? We are far from having exhausted its contents or application. We are but as children playing on the shores of limitless truth. There is one feature to which we wish to direct attention because we have a conviction that it has escaped most people. That is, the growing value to the spiritual man of the stated lessons—the Gospels and the Epistles, as over against the sermon. The attitude of many when Scripture is read is that while it is a necessary part of the program, it is a matter which concerns chiefly the reader, whereas these lessons are the jewels of Scripture, the expressive reading of which is one of the chief functions of a minister, and the devout and attentive hearing of which is both a duty and a privilege. Each year they should take on added usefulness. Each year we should push out further into the harvest fields of Scripture. Suppose we begin the new Church Year with a resolve to secure by conscious effort a fresh sheaf of heavenly wisdom each Sunday. We shall find ourselves growing richer with each service.

THE COURT'S DECISION.

The decision of the Supreme Court of the United States as handed down with the unanimous opinion of that august tribunal in its last analysis does not mean that that body has gone on record against the segregation of the races. It simply means that the advocates of racial segregation upon the plea of police powers have gone beyond the "twilight zone" set by the Supreme Court, penetrating into the "sanctum sanctorium" of the Constitution of the United States itself. In doing this these unwise people have endangered the fundamental property rights in the Constitution itself.

When Southerners of the type of Mr. Justice White and Mr. Justice McReynolds unite in such a decree, it is notice to the country that all that can be done by law has been done and that discriminations of the kind noted must cease.

We take it then that it would be unwise for our people to indulge in any undue jubilation over the opinion, but to accept its benefits in a sober and becoming manner, realizing that the results will be as beneficial to white people in many sections of the country as to colored people. Let us prove ourselves worthy of this recognition and only take advantage of it in cases where necessity warrants the same.

There is an immutable justice, an equilibrium of fair-play that is gradually asserting itself and we can see in this that the pendulum of human rights is swinging as far one way as it has the other. God be praised!

SEGREGATION LOST; CLAIM BIG VICTORY

TRENTON N J TIMES
NOVEMBER 16, 1917

The National Association for the Advancement of Colored People has issued this statement regarding recent court decisions on segregation:

The favorable decision of the United States Supreme Court on the segregation cases is a tremendous victory for the National Association for the Advancement of Colored People. Undoubtedly you are familiar with the manner in which these segregation ordinances were fought in the various State courts by our local branches at Baltimore, St. Louis and Louisville, and how the Louisville case was finally taken before the Supreme Court and argued and then re-argued. You also know that the fate of the cases which were brought in Baltimore, St. Louis and Richmond, Va., was hanging upon the decision of the Louisville case. Thus it is that the decision in the Louisville case settles this question of segregation in those cities and in all other localities where such legislation has been attempted. Had the association lost this case, negro ghettos would have been established in cities not only south but north. As it is, segregation has been killed all over the country.

We believe this is an occasion for each of our branches to celebrate. We therefore ask that this matter be brought before the local branch and that some means of celebrating the victory be decided upon. The winning of the Louisville segregation case justifies all of the work, effort and money that have been put into the national association, and emphasizes the fact that only by concentrating our efforts and building up a great organization like the national association can we hope to win against intrenched prejudice.

TEN OPPOSE BUILDING OF CHURCH FOR NEGROES

NEW ORLEANS (LA) STATES
JULY 10, 1917

Asking that the erection of a negro church in Chippewa street, between Market and St. James streets, be prohibited, ten residents of the neighborhood filed a protest with the commission council Tuesday. The protestants presented no argument. Their petition was referred to Commissioner Lafaye, who will have a hearing on the subject.

Segregation – 1917

WITHDRAW OBJECTIONS TO THE SEGREGATION BRIEF.

Objections raised by counsel for the plaintiff to the brief filed by City Attorney Pollard in the United States Supreme Court, in the case of Buchanan against Warley, involving the right of a city to segregate white and colored residential districts, will be withdrawn and the brief, pronounced by all who have seen it an unusually able one, will be admitted.

Counsel for Buchanan, including Alfred E. Cohen, of Richmond, who is associated with the plaintiff's lawyers, objected to the City Attorney's brief because of certain photographs showing views of colored residential sections in Richmond. These photographs show the most favorable scenes in the colored residence district and ignor the poorer sections.

On behalf of the plaintiff, Mr. Cohen has just filed a brief in the Supreme Court in which appear a number of photographs picturing the so-called colored slums of Richmond, and ignoring altogether the better sections. Having filed photographs themselves, counsel for the plaintiff have withdrawn their objections to the photographs in the brief prepared by the City Attorney.

In this action, Charles H. Buchanan, colored, is seeking to compel William Warley, also colored, to fulfill the terms of a contract under which the latter agreed to buy from Buchanan a house located in a white block in Louisville, Ky. Warley has refused to buy the property because under the Louisville segregation ordinance he cannot occupy it. The Kentucky Supreme Court has sustained him and Buchanan has now appealed to the United States Supreme Court, the point at issue being the constitutionality of the Louisville segregation ordinance, plaintiff claiming that it is not constitutional.

A Supreme Court decision against the Louisville ordinance would result directly in the outlawing of the Richmond ordinance, after which it was modeled. City Attorney Pollard has associated himself with the defense, amicus curiae, for the purpose of defending the segregation law.

[illegible] MAIL
NOVEMBER 8, 1917

Race Legislation.

The Supreme Court has declared unconstitutional a Louisville ordinance allowing segregation of the residence districts of its white and black population. The ordinance provided that members of neither race shall be allowed to move into a block in which a majority of the residents are of the opposite color. If there was any discrimination in the law, the whites were discriminated against as much as the blacks. It was a law which recognized the realities of the situation and met those realities squarely. It was a law which in principle cannot be distinguished from the "Jim Crow" laws of southern states, providing separate cars for black and white passengers. White passengers cannot ride in the black cars any more than black passengers in the white cars. It is difficult to see how the Louisville ordinance is thrown out, while the "Jim Crow" laws were declared constitutional. This decision of the Supreme Court annulled not only the Louisville ordinance but also similar ordinances in Baltimore and other southern cities.

The result will probably be that a way will be found to break the law. That is the fate of laws that are based upon fictions, shams. As the result of the civil war we enfranchised the negro. We gave him equal voting rights with the white man. The poor ignorant refugees from slavery, tools of demagogues and corruptionists, bade fair to sink the South into a state of anarchy and ruin. The South was saved because the states passed voting laws which nullified the federal enactment and actually prevented enough negroes from voting so that the combined voting strength of the whites, united into a single political party, averted the evil which these grown-up children would have perpetrated. And yet that large, uneducated, controllable negro vote south of the Mason and Dixon line has been a terrible factor for class hatred and political corruption.

Laws and institutions cannot endure if they are built upon unrealities. The uneducated blacks ought never to have obtained the unrestricted franchise. An ordinance like this of Louisville should never be declared invalid, based as it is upon the deepest race instincts—and race instincts which in this case have merely a social aim.

Are we devoid of the man or the men who will face this situation with courage, and lift himself above the shams which every one knows in his heart are shams?

NEGRO SEGREGATION MOVEMENT DENIED

[illegible] TOLEDO OHIO [illegible]
DECEMBER 13, 1917

To Investigate Report That Real Estate Dealers Are Interested.

A reported movement to segregate the city's negro population in the district between Dorr street and Swan creek was denied Wednesday night by Charles A. Cottrill in a heated debate with residents in the district before the public improvements of city council.

A large delegation from the district mentioned was present, defending protest sent to council against alleged activities by real estate men in behalf of colored persons who are seeking to buy property in the district. The citizens claim their property will deteriorate.

"I have nothing but pity for the person who is prejudiced against my race," said Cottrill. "It is an un-American sentiment at this time, when all of us are supposed to be united against a common foe. I come to voice my protest against this veiled attack upon the colored people. When we buy property we pay more for it and when we rent property we pay higher rent.

Why Sell Negro Property?

"If the white people do not want colored residents in this district why do the white people sell their property? The remedy for this protest lies with themselves. We do not believe in segregation and are anxious to scatter."

Assistant Law Director Lawton declared there is no law prohibiting colored people from living in any part of town. He said also they cannot legally be segregated.

Law Director Commager will investigate the report that real estate dealers are combined to make a segregated district in the neighborhood Dorr street.

[illegible] BROOKLYN N Y [illegible]
[illegible] BER 28, 1917

NOT A WISE FORM OF "REVENGE."

Denied a license for liquor selling and blaming neighbors for what has been done, the woman proprietor of a hotel property on a fine lake and in a good residence section of Long Island, puts up a sign, "Lots for Sale to Colored People Only," and another, "For Rent: Flats and Rooms to Colored Families Only." She is trying to get even with the neighbors, but her form of "revenge" is most unwise.

Here in the city such schemes are known by a worse name than "revenge." They are colloquially "realty blackmail." Sometimes they succeed in compelling property holders in the vicinage to pay exorbitant prices for the property held by the schemer. But out in Southampton negroes will not want to live. The "Flats and Rooms" will go begging. The "Lots for Sale" will have no bidders. And neighbors will experience only a passing irritation from the signs.

As for the hotel itself, its future will suffer more. One or two seasons as a temperance house wouldn't begin to hurt it so much as this exhibition of temper. We are not passing or attempting to pass on the justice of the denial of a license. This action was not based on complaints, it was in pursuance of a State law horizontally reducing the number of liquor selling places in towns of a given population. So far as we know the hotel in question has been decently and properly conducted in the past. It might well have prospered even under a dry regime.

[illegible] CHICAGO ILL TRIBUNE
JULY 14, 1917

BOYCOTTING NEGRO PROPERTY OWNERS.

Chicago, July 12.—[Editor of The Tribune.]—May I thank you for the informing articles which you are printing as an aftermath of the East St. Louis horror? There is undeniably much truth in the statement made by Mr. Hyde. There are real estate agents, members of both races, who, wisely or unwisely, rent property without consulting "the preferences of the particular neighborhood."

Many of such agents make exorbitant commissions by this process. Just as there exist economic disadvantages, so there are economic advantages which arise from supposed racial differences.

There is another side of the picture which has its merits. I refer to the position which faces property holders who own valuable real estate holdings in blocks and neighborhoods "occupied exclusively by white people." In many instances real estate agents once learning the racial identity of the owners have no scruples in boycotting such property.

One piece of property has practically been tenantless for the last two years, causing its owner a loss in excess of $4,000. The Negro owner, although an ordinary workingman, has bravely stood this loss. He has kept this property in good rental condition, and at any time could have filled it with desirable tenants of his own race. The owner is without race prejudice; yet out of deference to the "prevailing custom" in this neighborhood he continues to bear his financial loss.

I know of other instances in similar neighborhoods where Negro owners of valuable holdings are suffering from the same injustice. It is a fair proposition and we must ultimately face it; the property holder must be protected in his right to earn an income from desirable tenants without regard to foolish racial prejudice. THOMAS WALLACE SWANN.

Sends Up Case and Holds Mr. Sidney Burrell Charged with Violating Balti-more's Infamous Segregation Ordinance.

Daily Herald Nov 8, 17

Despite the ruling by the Supreme Court of the United States affecting the race segregation ordinance in this city, Justice Tormollan of the Southwestern district today sent to the Grand Jury the case of Sidney Burrell (colored), accused of moving into a block where only white persons lived. The Negro entered the house at 1015 West Lexington street.

Several residents of the block, which is between Gilmor and Mount streets, appeared against him. They maintained that Vincent street, an alley paralleling Gilmor street, cuts through between Gilmor and Mount streets, dividing the houses on Lexington street into two blocks. Negroes occupy houses west of Vincent street, but only white families live to the east of it.

Justice Tormollan decided with the complainants that the 1600 block really is two blocks, but the contention of the Negro's counsel was that the alley did not separate the street into two blocks, as the house numbers were continued without a break. The Negro is said to have occupied the house October 15. He was released in care of his attorney for the Criminal Court.

ORGANIZE TO FIGHT RICHMOND SEGREGATION

(Special to THE NEW YORK AGE)

RICHMOND, Va. — The Negroes of Richmond have organized to fight segregation, and the Civic Improvement League has registered a strong protest again Richmond's segregation ordinance. The following resolutions were adopted at the last meeting of the league:

The colored people view with misgivings the wholesale arrest and fining, on the eve of the hearing of the segregation case in the Supreme Court of the United States, of a large number of white merchants of Richmond who have located their residences since the adoption of the segregation ordinance, in the colored section.

The colored people feel that such action tends to weaken and destroy, rather than increase the respect of any people for constituted authorities. Furthermore, such action confirms the belief of a large number of colored people that this "law of might over right" is but an attempt to stretch the police power of the community to cover, under the guise of law, the antipathy of some of the white race toward the colored people.

While the colored people have been subjected to such treatment on the part of the authorities, yet our sympathies are with these disturbed and outraged merchants; believing, as we do, that only the economic law of supply and demand should apply to the renting, leasing, buying and occupying of property.

The Rev. W. H. Stokes has been named chairman of a special committee of twelve to formulate plans to carry on the fight of the colored people to the United States Supreme Court.

TO START SPITE NEGRO COLONY

BROOKLYN N Y TIMES
SEPTEMBER 27. 1917

PROPRIETOR OF HOTEL MAWAGA, SOUTHAMPTON, TO "GET EVEN" FOR NOT GETTING LICENSE.

"Lots for Sale to Colored People Only—No Restrictions."

"For Rent—Flats and Rooms to Colored Families Only."

"Lodging House—Quick Lunch."

Southampton, Sept. 27.—These signs adorn today the lawn of Hotel Mawaga which will go out of business on Monday because a renewal of the license has been refused Miss Alice Lye, the proprietor.

Miss Lye, and her manager, Ernest Extance, have taken this method of "getting even" with the people of Southampton. They believe that undue discrimination was shown in depriving the hotel, which derives its name from spelling Lake Agawam backwards, of its license.

Miss Lye says that a petition was secretly circulated in the neighborhood to influence the Excise Board against her place. She claims also that when the hotel was visited, the commissioners complimented her upon its well kept appearance, cleanliness and accommodations. The hotel faces on Lake Agawam and the property extends from the lake to Main street.

Besides the main building there are three smaller dwellings and a large house facing on Main street.

Miss Lye's plan for revenge is to cut the property up into building lots and offer inducements for their sale to negroes and to rent flats in the hotel, the small dwellings and the large house to negroes or Polish families.

While the residents are more or less astounded by the signs and by the evident intention of the owner of the Hotel Mawaga to start a negro settlement in the midst of that select section of the village, they look at it as simply "spite" in which the perpetrator will be the greatest loser.

SEGREGATION COMMITTEE COLLECTS SUFFICIENT FUNDS TO PAY ALL INDEBTEDNESS.

5-26-17.

The Segregation Committee of Civic Improvement League has secured sufficient funds to pay all expenses incurred in preparing and presenting the brief for the colored people to the United States Supreme Court at Washington, D. C. At a very early date the committee will publish a detailed report, giving credit to each person or organization who contributed to this laudable undertaking.

Receipts: Donations from individuals, churches, business organizations clubs and societies, Total $703.73.

Payments: Lawyer's fee, $500.00; printing brief and lawyer's travelling expenses, $113.88; photographer's bill, $24.00; interest on loans, $6.75; newspaper articles, postage, stationary, rent of hall, railroad fare of committee, Total $687.63.

Unexpended balance of $16.30 to be turned over to treasury of Civic Improvement League to be used in defense of the colored people of Richmond in other civic matters.

The committee borrowed $450.00 from St. Luke Bank to meet pressing obligations that had to be paid before sufficient funds were collected. These notes have been paid from above receipts.

The collections were made as follows: Prof. J. E. Jones, $7.00; Mr. E. C. Burke, $8.25; Mr. G. W. Bragg, $9.00; Mr. Henry Mallory, $21.50; Prof. J. M. Sampson $22.50; Mr. W. D. Jones, $42.50; A Friend, $44.60; Dr. J. E. Jackson, $51.75; Mr. C. B. Gilpin $64.75; Rev. W. H. Stokes, D. D. $115.77; W. A. Jordan, $316.11; Total, $703.73.

Executive Committee—W. H. Stokes, Chairman; James E. Jackson Treasurer; W. A. Jordan, Secretary.

Nashville, Tenn.
Oct 7

OPPOSE PROPOSED NEGRO APARTMENT

Stand Taken by South Nashville Organization.

The directors of the South Nashville Improvement association last night had a Round Table discussion of a number of matters of interest to that section.

In view of the report that a South Nashville woman owning property on Fourth avenue was contemplating the erection of negro flats a few doors from the Central Baptist church, a committee was named to call on her. The erection of such a building, in view of the plan to widen Fourth avenue, would be very damaging to property that will otherwise tend to higher values and high-class improvement, and it was believed the situation could be made clear to her. The committee consists of Messrs. Oliver J. Timothy, Chas. Marlin and George Geiger.

Charles Marlin said he had been investigating the needs of Trimble school, which were a furnace, clock and bell in the tower and decent drinking arrangements for the children. Prof. Keyes had stated to him that the furnace would be put in the summer. There were hopes of securing the clock and bell from the old Elliott school, the clock at all events. Another bell not so large might be secured if the other could not. The drinking arrangements at present centered around a ged barrel. He wanted a committee to work for these improvemetns. The committee appointed was Charles A. Marlin Prof. L. T. Johnson and R. J. Whitworth.

Committees were also named to attend to a number of other matters pending.

Shares of stock were issued to a number who had finished paying their subscription.

Progress was reported in the erection of the new bungalow on Fifth avenue, south.

The annual meeting of the South Nashville Improvement club will be held next Tuesday night, at which time officers will be elected for the year, and a fine program of entertainment will be offered. The features of the program will be announced later.

AMERICAN
Baltimore, Md.
MAR 27 1917

RACE SEGREGATION BEST.

To the Editor: I have had a chance to learn by experience that when white and colored families live side by side there is more confusion and fights than when they do not. I own about 40 houses and when the block was a mixed block there was always a fight on hand and several times it had to be settled in police courts.

Since I refused to rent to white tenants, more than ten years ago, there is peace, both for tenant and landlord. We have a nice class of colored people who prefer to live by themselves as we all know the class of whites who live beside the colored race have very little pride, and the better class of colored people do not want to live next door to white people. It is only the lower element who make this contention, and I think there was never a better thing done for peace than when the law segregating the races was made. I for one hope it will never be changed. Give the colored people good houses to live in but keep them to themselves.

LANDLORD.

Baltimore, March 26.

NEGRO INVADER ASKS POLICE PROTECTION

Paterson [illegible] "Threatened" After Buying House.

The Rev. Clarence C. Williams, pastor of the African Methodist Episcopal Church at Paterson, N. J., fears something dreadful is going to happen to him because he recently purchased the house at 386 East Thirty-first street, in an exclusive residential section of Paterson, and set up housekeeping there with his bride of a week.

He told Capt. McBride of the Paterson police department and City Recorder William H. Young yesterday that a "crowd" of the white residents of the section, angered at his coming, have threatened him with all sorts of things. This Williams does not consider at all clubby. He asked the Recorder for police protection.

The negro preacher purchased the property about three weeks ago from fromer Judge William Delaney, after having tried in vain to rent an apartment in the section which, except for him, is inhabited exclusively by whites. He told Recorder Young that a few days later a group of four men, headed by Alexander McLeod, a lawyer, called upon him and offered to take his property off his hands and give him a profit of $1,500. This the negro would not consent to. Tuesday night he was visited by two men who told him, he says, that a "crowd" was after him and that they were keeping the "crowd" back to give him time to sell out and move.

"There are lots of ways to get you out if you don't sell and go peacefully," Williams says the two men told him.

The negro failed to get any police protection, although Recorder Young told him the city would see he got the rights guaranteed him by the Constitution. Mr. McLeod and others declared last night that so far as they knew nobody had threatened the preacher with violence.

CHICAGOANS MOVE TO SEGREGATE RACES

Wilmington, Del.

By The United Press.

CHICAGO, Feb. 15.—Solution of the race segregation problem, made acute in recent months by the steady influx of Southern negroes, is the aim of action taken today by representatives of the owners of 50,000 of the 100,000 better class apartments in Chicago.

Segregation statutes, similar to the ones in force in St. Louis, will be invoked.

"We believe the interests of Chicago demand that white people shall not encroach upon the colored, or the colored upon the white," I. O. Ackley, a member of the committee appointed to perfect plans for immediate action, said. "Therefore we strongly urge the segregation of the races.

"Action taken recently in St. Louis has been decreed constitutional by the Supreme Court. It is perhaps the greatest piece of racial legislation since the Fourteenth Amendment."

SEGREGATION IS NOT UPHELD BY SUPREME COURT

Nov 6-1917
Montgomery Advertiser

(Associated Press.)

WASHINGTON, Nov. 5.—Compulsory separation of the negro and white races in residential districts is a violation of the constitution, the Supreme Court held today in an unanimous opinion declaring invalid the Louisville, Ky., segregation ordinance. The measure, which prohibited persons from either race moving into blocks in which a majority of residents were of the opposite color, is similar to ordinances now in effect in St. Louis, Baltimore, Richmond, Atlanta and many other Southern cities.

Would Not Prevent Amalgamation.

Such laws, the court decided, would not prevent the amalgamation of the races as was claimed by the Louisville authorities, or prevent race conflicts.

"Desirable as this is and important as is the preservation of the public peace," said the opinion, this aim cannot be accomplished by laws or ordinances which deny rights created or protected by the Federal Constitution."

Laws providing for the separation of the races in public conveyances and in the public schools where equal privileges are given, the court pointed out, have been upheld, but it asserted that such legislation must have its limitations and cannot be sustained where the exercise of authority exceeds the restraints of the constitution.

Lower Court Reversed.

The court's action was a reversal of the lower court, which held the ordinance to be a reasonable exercise of the State's police powers. The ordinance was enacted in 1914 and the case was argued twice in the Supreme Court.

CINCINNATI POST
SEPTEMBER 27, 1917

BAN ON NEGROES SOUGHT

South Norwood residents will meet Thursday night to protest against the advent of negroes into the district. Sentiment was aroused by a report that property on Iola-st had been sold to a negro woman. If necessary, residents say, they will buy the property themselves.

Segregation - 1917

SEGREGATION ORDINANCES ARE INVALID.

Richmond Planet 11/10/17

United States Supreme Court Balks at Helping the Destroyers of Fundamental Law--Property Rights Cannot be Vitiated upon the Plea of the Exercise of Police Powers. Colored People Happy--Liberal White Folks not Sorry.

The effect of the decision of the Supreme Court of the United States in this city will be far reaching but will not affect materially conditions as they now exist. The Leigh St. Memorial M. E. church at Fifth and Leigh Sts., has had its frint doors closed ever since the property was purchased simply because it fronted on Leigh St., which street was said to be on a white block. The congregation was forced to pay a large sum to change the entrance. There are numerous cases where fines have been imposed for the violation of the segregation ordinance.

MIXED RESIDENTS.

There are cases here where white and colored families are living in the same building as a result of the ordinance. The white man and his family operate a store down stairs and remain there until 8, 9 or 10 o'clock at night and sometimes later. The store being in a colored block colored people rent up stairs and the result is that that very condition that the segregation ordinance was presumed to prevent is actually brought about. Mr. William A. Jordan, Rev. Dr. Wm. H. Stokes and others were active in employing Attorney Alfred E. Cohen to file the supplementary brief in the case in answer to the one filed by City Attorney H. R. Pollard.

ATTITUDE FRIENDLY.

There are many dwellings vacant on the border line of the white and colored residential sections that can now be occupied by one race or the other. There is no likelihood of ill feeling as a result of it as the attitude of colored people here and of white people is friendly.

Washington, Nov. 5.—Louisville's Negro segregation ordinance was today declared unconstitutional by the supreme court. The decision affects similar ordinances in Atlanta, Richmond, Baltimore, St. Louis and many Southern cities.

In rendering the opinion, Justice Day said:

"The authority of the state to pass laws in the exercise of the police power, having for their object the promotion of the public health, safety and welfare is very broad and has been affirmed in numerous and recent decisions of this court. But it is equally well established that the police power, broad as it is, cannot justify the passage of a law or ordinance which runs counter to the limitations of the federal constitution.

"That there exists a serious and difficult problem arising from a feeling of race hostility which the law is powerless to control and to which it must give a measure of consideration may be freely admitted. But its solution cannot be promoted by depriving citizens of their constitutional rights and privileges.

A SIGNIFICANT PARAGRAPH

"As we have seen, this court has held laws valid which separated the races on the basis of equal accommodations in public conveyances and courts of high authority have held enactments lawful which provide for separation in the public schools of white and colored pupils where equal privileges are given.

But in view of the rights secured by the fourteenth amendment to the federal constitution such legislation must have its limitations and cannot be sustained where the exercise of authority exceeds the restraints of the constitution. We think these limitations are exceeded in laws and ordinances of the character now before us.

"It is the purpose of such enactments and it is frankly avowed it will be their ultimate effect, to require by law, at least in residential districts, the complete separation of the races on account of color. Such action is said to be essential to the maintenance of the purity of the races.

DENIES A CIVIL RIGHT.

"The case presented does not deal with an attempt to prohibit the amalgamation of the races. The right which the ordinance annulled was the right of a white man to dispose of his property if he saw fit to do so to a person of color, and of a colored person to make such disposition to a white person.

"It is urged that this proposed segregation will promote the public peace by preventing race conflict. Desirable as this is, and important as is the preservation of the public peace this aim cannot be accomplished by laws or ordinances which deny rights created or protected by the federal constitution.

"We think this attempt to prevent the alienation of the property in question to a person of color was not a legitimate exercise of the police power of the state, and is in direct violation of the constitution."

In the Louisville case Richmond filed a brief, which was designed to help the cause of the Louisville ordinance since it was realized that the decision in the Louisville case would vitally affect action of the court in the case of Richmond, whose ordinance is involved in an appeal now pending.

Newport News, Va., Nov. 5, 1917

Hon. John Mitchell, Jr.,
Editor The Planet Richmond, Va.

Great rejoicing among colored people here over opinion of Supreme Court in Segregation case, banquet being arranged for Lawyer J. Thos. Newsome and his associate, W. R. Walker as first lawyers in State to raise question by injunction.

Dr. P. A. SCOTT.

HOUSING PLAN STIR CHICAGO COLORED CITIZENS

Chicago, April 19.—The Chicago Tribune of Tuesday published the following report on the meeting of the Real Estate Board Monday on the housing plan for colored residents.

Anger and race hostility intruded in a meeting held at the Chicago real estate board between a committee of the board and representatives of south side colored people. The meeting was held to adjust the difficulties between the colored people and white people who object to having colored people take up residence in white neighborhoods.

Resenting what they termed an effort to "ram down their throats" recommendations made by a special committee composed of two whites and two colored, six of the ten colored representatives withdrew in anger after losing a motion to have the matter laid over a week.

Later, after a motion to reconsider had been lost, E. F. Manns, colored real estate agent, said that "unless the recommendations were laid over, within a week there would be colored people living in every desirable neighborhood in the city."

"Desirable" Causes Friction.

The first friction came when the second article came up for adoption. It recommends that additional modern houses and apartments be built and rented to colored tenants in desirable neighborhoods. The word "desirable" was attacked by A. L. Williams and Manns on the ground that what might be deemed desirable by a white person for a colored person might not appear desirable to the colored person.

With the recommendations adopted, unless the colored men want to bring it up again, the affair is settled as far as the board is concerned.

Colored citizens present deny that the meeting was conducted as the Tribune reports it. There is, however, much concern felt over the housing situation.

NEGROES OFFER HOUSING "SWAP" WITH WHITES

What to do with the Negro was answered yesterday by the Negroes themselves, when a committee of Negroes met with a committee of the Chicago Real Estate Board. As a result, a committee of two whites and two Negroes will thrash out the problem.

George H. Jackson, a wealthy Negro real estate man, promised the co-operation of the Negro citizens and declared they were anxious for agreement.

Want to be by Themselves

"We are anxious to confine ourselves to our own community life, social affairs and business," he said. "We do not want to live in the same block with white people if we can help it because it is not conducive to our happiness. But we want to live in decent homes, decent neighborhoods with good schools, good churches, and on lines of good transportation.

"If the white property owners and white real estate agents will turn over to Negroes the buildings in the black belt now being used by white people then we'll be only too glad to turn over our holdings in the white residential districts."

Seek Executive Section

Eugene Manns, Negro real estate dealer, suggested that a committee of white and Negro men be appointed to study out the situation and develop a plan whereby one section of the city be given exclusively to Colored people.

St. Louis Dispatch 4/13/17

Amsterdam News 12/26/17

CHARLESTON S C NEWS-COURIER NOVEMBER 7, 1917

Race Segregation in Cities.

The decision of the United States Supreme Court declaring unconstitutional the negro segregation ordinance as adopted in Louisville will probably put an end, for the time being at least, to a movement about which there has been considerable division of opinion even in the Southern cities affected. The language of Judge Day's opinion indicates that the Supreme Court is

DIVISION OF BEHAVIORAL SCIENCE RESEARCH REEL 7

opposed, not merely to the terms of the Louisville statute providing for race segregation, but to the principle that this can be accomplished by the legal enactment of cities or States.

This decision of the United States Supreme Court was anticipated by the supreme courts of at least two Southern States. In February, 1915, the Supreme Court of Georgia declared the Atlanta segregation ordinance invalid; but on April 3, 1916, the Atlanta City Council passed a new segregation ordinance. The Supreme Court of North Carolina as far back as April, 1914 declared the segregation ordinance of Winston-Salem invalid. The decision in the North Carolina case was written by Chief Justice Walter Clark, who took the view that no board of aldermen was qualified under the Constitution to exercise so arbitrary a restriction. "An ordinance of this kind," he said, "forbids the owner of property to sell or to lease it to whomsoever he sees fit as well as forbids those who may be desirous of buying or renting property from going where they can make bargains. Yet this right of disposal of property has always been held one of the inalienable rights incident to the ownership of property which no statute will be construed as having the power to take away. This ordinance forbids a white man or a colored man to live in his own house if it should descend to him by inheritance and should happen to be located on a street where a majority of the residents happen to be of a different race."

It will be seen therefore that although segregation ordinances have been adopted by such cities as Baltimore, Norfolk, Richmond, Roanoke, Greensboro, Atlanta, St. Louis, Oklahoma City, and Dallas, and although such ordinances have been upheld by local courts in a number of instances, the validity of such laws has been questioned from the first by many in the South. The Legislature of this State three years ago empowered cities to pass such ordinances; but only one, be believe, Greenville, has acted under this authority. No serious consideration has ever been given in Charleston to the adoption of such a plan.

Nevertheless, while the decision of the Supreme Court would seem to settle the present impossibility of accomplishing race segregation in cities by law, the support which the idea has found in many cities, of all sizes and widely scattered, illustrates a very general endorsement of the idea which underlay these various ordinances. It would be a very unfortunate thing if negroes in the cities whose segregation ordinances have been invalidated, should get the impression as a result of the Supreme Court's decision that they can run counter to this idea and can flout the sentiment behind it. The advisability of passing segregation ordinances has been doubted by many Southern white men. There is no disagreement that the conditions which gave rise to these ordinances should be guarded against. We believe that this is recognized by the wiser negro leadership and concurred in as well.

FACE LEGISLATION.

New York Evening Mail.

The Supreme Court has declared unconstitutional a Louisville ordinance allowing segregation of the residence districts of its white and black population. The ordinance provided that members of neither race shall be allowed to move into a block in which a majority of the residents are of the opposite color. If there was any discrimination in the law, the whites were discriminated against as much as the blacks. It was a law which recognizes the realities of the situation and met those realities squarely. It was a law which in principle cannot be distinguished from the "Jim Crow" laws of Southern States, providing separate cars for black and white passengers. White passengers cannot ride in the black cars any more than black passengers in the white cars. It is difficult to see how the Louisville ordinance is thorwn out, while the "Jim Crow" laws were declared constitutional. This decision of the Supreme Court annulled not only the Louisville ordinance but also similar ordinances in Baltimore and other southern cities.

The result will probably be that a way will be found to break the law. That is the fate of laws that are based upon fictions, shams. As the result of the civil war we enfranchised the Negro. We gave him equal voting rights with the white man. The poor ignorant refugees from slavery, tools of demagogues and corruptionists, bade fair to sink the South into a state of anarchy and ruin. The South was saved because the states passed voting laws which nullified the federal enactment and actually prevented enough Negroes from voting so that the combined voting strength of the whites, united into a single political party, averted the evil which these grown-up children would have perpetrated. And yet that large, uneducated, controllable Negro vote south of the Mason and Dixon line has been a terrible factor for class hatred and political corruption.

Laws and institutions cannot endure if they are built upon unrealities. The uneducated blacks ought never to have obtained the unrestricted franchise. An ordinance like this of Louisville should never be declared invalid, based as it is upon the deepest race instincts—and race instncts which in this case have merely a social aim.

Are we devoid of the man or the men who will face this situation with courage, and lift himself above the shams which every one knows in his heart are shams?

OFFERS ORDINANCE TO SEPARATE RACES IN ABANDONED ZONE

TIMES-PICAYUNE

New JAN 8 1917

Commissioner Newman Takes Constructive Action in Solving the Vice Problem.

Commissioner Newman introduced into the council Tuesday an ordinance providing for the segregation of races in the abandoned districts, separating the whites from the negroes. The ordinance provides that negroes can only reside in the area bounded by Perdido, Gravier, Franklin and Locust, and white women only in the area bounded by Iberville, St. Louis, North Basin and North Robertson streets. The ordinance also prohibits the renting or leasing of premises for immoral purposes outside the districts. It will come up for adoption at the next meeting of the council.

Among the ordinances adopted was the Newman ordinance requiring that reviewing stands, whether tickets are sold for the seats or not, including stands erected for private guests, must be inspected by a competent architect or civil engineer. The city engineer is to furnish the police with a list of the stands so inspected and any persons erecting a stand without proper inspection will be held as violating the law.

Commissioner Glenny's amendment to the jitney ordinance was laid over, at his request, to give the street railway company an opportunity to be heard.

W. A. Duke and J. A. Salman, appraisers named to value the ferry boat A. Baldwin and the landings and other property of the Union Ferry Company, now operating the Jackson avenue ferry, reported that they had agreed upon the total valuation of the Union Ferry Company property at $55,930.53, including the A. Baldwin, which is valued at $30,000. Captain Hallidav of the Union Ferry Company, asked that he be paid the amount of the appraisement before he will surrender the operation of the ferry to J. A. Bisso, who recently purchased the franchise

Mayor Behrman announced in his message the appointment of Charles H. Behre as a member of the Peters avenue commission, St. Charles avenue to Claiborne.

Commissioner Lafaye introduced an ordinance to grant permission to the O'Rourke Motor Car Company to install a gasoline tank at 824 Baronne street, and to Rasch Brothers to install a gasoline tank at 1412 Decatur streets.

Commissioner Newman reported that he had established zones of quiet about ten public schools, including McDonogh 13, Normal, St. Philip, McDonogh 18, Belleville, McDonogh 4, Davey, Zachary Taylor, Fisk and Bienville schools.

Commissioner Newman reported favorably by ordinance the application of Louis Bromschwig to operate a barroom

PROTESTS UNAVAILING

New Colored Y. M. C. A. Will Go Up Unless More Urgent Opposing Reasons Appear.

EVENING SUN
Baltimore, Md.

POINTS ARE ALL CONSIDERED

FEB 1 - 19.

Mayor Said To Have Taken Interest In Western High School's Objections.

Unless more urgent reasons than those already given in the protests against erecting the new Colored Young Men's Christian Association Building, at the northwest corner of Dolphin and McCulloh streets, are brought forward it is understood that the association officials will proceed with the plans already adopted.

None of the officials are willing to forecast the action of the executive committee which probably will be empowered to decide the question, but they are said to feel that nothing has deevloped in the protests which was not considered thoroughly before the deal for the site was closed. The legal rights of the association in the matter have not been questioned.

John R. Cary, Robert Garrett, Joshua Levering and Francis A. White—Mr. White is president of the Baltimore Young Men's Christian Association—are the committee which has the site in charge, though they have no power to act finally on the protests of adjoining property owners, the Board of School Commissoiners and the Western High School, which is one block away from the site. Mr. Cary said this morning that the protest would be considered further and the arguments for and against the site weighed very carefully again.

Authorized No Promise.

In reference to the statement in the protest of white residents of the neighborhood that William H. Morriss, general secretary of the Young Men's Christian Association, had promised that the building would not be erected if opposition developed, Mr. Cary said that the committee had made no such promise, nor had it authorized Mr. Morriss to do so. Mr. Cary thought it extremely unlikely that Mr. Morriss had made the promise and was sure that the protestants had misunderstood him. Mr. Morriss himself declines to say anything whatsoever for publication.

Mayor Preston is understood to have interested himself in the matter and to have sent for Mr. Morriss for a conference on the protests which the School Board and others interested in having the new building farther removed from the Western High School have made.

Contend Neighborhood Is Colored.

It is the contention of the Young Men's Christian Association officials that the site is in a colored neighborhood. In the first place, the site and the buildings now on it were purchased from a negro. The proposed building is to have its greatest length and its entrance on Dolphin street, both sides of which in this block between McCulloh street and Druid Hill avenue are occupied by negroes. Druid Hill avenue is a colored thoroughfare. McCulloh street below Hoffman and above Wilson—that is, below the 1100 block and above the 1700 block—is colored. However, there is a "white belt" in the 1100, 1200, 1300, 1400, 1500 and 1600 blocks.

One side of the Colored Young Men's Christian Association Building will be on the northwest corner of the beginning of the 1200 block. The Western High School occupies the entire east side of the 1300 block.

BUILDING SITE LEGAL

City Solicitor Says Colored Y. M. C. A. Will Not Violate Segregation Ordinance.

EVENING SUN
Baltimore, Md.

DONOR OF $25,000 COMING

JAN 12 1917

Julius Rosenwald, Of Chicago, To Attend Biennial Of Union Of Hebrew Congregations.

Such objections as have been made to having the new Colored Young Men's Christian Association building at the northwest corner of Dolphin and McCulloh streets, because of its proximity to the Western High School, practically have been overruled by City Solicitor Field.

He has given his opinion that the erection of the proposed building on that site would not be in violation of the Segregation ordinance. Acting on this decision, the association officials have closed the deal for the purchase of the property. The work of razing the present structures for the erection of the new building soon will begin.

Philanthropist To Be In City.

Incidentally, Julius Rosenwald, the philanthropist of Chicago, who agreed to contribute $25,000 toward the Colored Young Men's Christian Association if the people of Baltimore would contribute $75,000, is expected here next Tuesday; not, however, in connection with his local benefaction, but to attend the twenty-fifth biennial council of the Union of American Hebrew Congregations, which will be held here next week. William H. Morriss, general secretary of the Young Men's Christian Association in this city, received a telegram from Mr. Rosenwald this morning declining an invitation to be the guest at dinner of the association's directors. Mr. Rosenwald said that his visit here would be too brief to make his acceptance possible.

Location Considered Good.

Speaking of the site for the negroes' building, Mr. Morriss said today that the association officials considered the site about the best for the purpose in Baltimore.

"It is within one block of Druid Hill avenue, the chief colored thoroughfare," he said, "and in the midst of the principal colored section of the city. Property in the neighborhood rapidly is being acquired by the negroes and it is an important centre of negro activities."

Mr. Morriss explained that the $25,000 promised by Mr. Rosenwald would not be received until $50,000 of the $75,000 raised by general subscription had been expended. Baltimore was the fourteenth city to take advanatge of Mr. Rosenwald's offer to do for the colored Young Men's Christian Association in any city what he did for the one here.

Segregation - 1917

Southern Workman 12|17

The Segregation Decision

A stranger studying our institutions might naturally suppose that the Thirteenth and Fourteenth Amendments to the Federal Constitution fixed the civic status of the colored part of our population with a definiteness and finality that would preclude litigation. Such has not been the case. The points at issue have usually related to the line of demarcation between the police powers of a state or municipality and the broad provision of the United States Constitution.

The latest decision of the United States Supreme Court on this subject, and in many respects the most important, was handed down on November 5, settling forever the validity of so-called segregation ordinances which have of late been growing in popularity in Southern cities, and which in a short time would doubtless have been extended to rural sections as well. These ordinances have usually provided that no colored person should move into any block in which the majority of the residents were white, and that no white person should move into any block in which the majority of the residents were colored.

It was frankly avowed before the Court that the ultimate effect of such enactments would be to bring about, in the residential districts at least, the compulsory separation of the races on account of color. Such action, it was urged, is essential to the maintenance of the purity of the races; although, as the Court pointed out, the ordinance under consideration permitted the employment of colored servants in white families and did not prohibit the near-by residence of colored persons not coming within the block.

It was urged that the proposed segregation would promote public peace by preventing race conflicts. "Desirable as this is," says the Court, "and important as is the preservation of the public peace, this aim cannot be accomplished by laws or ordinances which deny rights created or protected by the Federal Constitution. We think this attempt to prevent the alienation of the property in question to a person of color was not a legitimate exercise of the police powers of the state and is in direct violation of the fundamental law enacted in the Fourteenth Amendment of the Constitution prohibiting state interference with property rights, except by due process of law."

It is gratifying to note that there was no sectionalism or partisanship in the decision. The verdict was unanimous in declaring invalid the segregation ordinance in question, and, by implication, all similar ordinances.

Segregation – 1917

COLORED CHURCH TEST CASE.

The Richmond plant

The case in Justice Crutchfield's court today was the most widely-known of all the cases brought under the segregation ordinance. The defendant was Joseph Eggleston, colored a trustee of the Immanuel Baptist church. Fifth and Leigh streets. According to Attorney Isaac Diggs, who appeared for Eggleston, the case has been before every court in Richmond with the exception of one, during the last three years. With the passage of the segregation ordinance, the Negroes closed the entrance to the church on Leigh street, as the Leigh sreet entrance was on the "white" side of the building. At an expense of $500 an entrance was constructed on the Fifth street side, and this has been the door used ever since by members of the congregation.

ple were let alone." said Attorney

"I think it is about time these peo Diggs in asking the court to dismiss the complaint.

Justice Maurice, sitting for Justice Crutchfield, dismissed the charge and at the same time took occasion to say that when the ordinance was first passed he ventured the opinion in his Southside court that it would eventually be declared unconstitutional. "I am sorry that this is so," he said, "for I believe segregation was better for both races.

(Richmond Va., News Leader, Dec. 13, 1917.)

the cases

anta Constitution

SEGREGATION ORDINANCE OF ATLANTA IN DEMAND

Northern cities, to which negroes have migrated in large numbers from southern states recently, are now writing to Mayor Candler for information concerning Atlanta's segregation ordinance.

The letters are written by the reference library departments of the cities of Chicago and Philadelphia. Both cities ask for several copies of the Atlanta ordinance, and state that they are now concerned with the problem of whites and negroes living in the same blocks.

The Atlanta ordinance preserves to the whites blocks in which a majority of whites live, and to negroes blocks in which a majority of negroes live.

Atlanta Constitution

ALL SEGREGATION CASES DROPPED IN RICHMOND

Richmond, Va., December 18.—Assistant City Attorney George Anderson announced this afternoon that all segregation cases pending in the Richmond county courts will be dismissed as a result of the decision of the United States supreme court. The ruling from the city attorney's office is that negroes can go wherever they choose and live in any section of the city in which they rent or buy property. Leigh Street Methodist church was among the property involved in the numerous segregation cases here.

E. ORANGE N J RECORD
SEPTEMBER 24, 1917

Object to Colored Church

Residents in the neighborhood of Dodd street and Brighton avenue object to the use of the former edifice of Bethel Presbyterian Church as a colored church. The building is a frame structure and has been practically abandoned for the past twenty-five years. For the past few weeks a group of colored people who recently came from the South have been using the building as a meeting place. Preliminary steps have been taken by the colored people to organize the Bethel Baptist Church, but it is likely that they will select some other place for a church. While there has been no organized protest, those interested in the new church do not want to antagonize the people of the community.

SEGREGATION SCHEME IS MEETING APPROVAL

City councils scheme to solve the segregation problem for the "fourth warders" by establishing parks between the areas occupied by negroes and by whites in the fire-swept district is meeting with approval throughout the city.

Some are suggesting the proposition of utilizing the entire fire-swept area for a big park, and connecting it with Piedmont park on the north, and eventally with the state capitol grounds on the south and Grant park, thus having a park extending throughout the length of the city.

Mayor Candler is expected to name, in a few days, the commission stipulated by councils' resolution of Tuesday, which is to investigate the fourth-ward problem, looking to establishing parks between the two districts occupied by the two races, and to widening streets in instances where needed.

The First Established and Most Complete Newspaper Cutting Bureau in the World

Houston, Tex. POST

Race Segregation Defended in Brief

(*Associated Press Report.*)

WASHINGTON, Feb. 16.—Race segregation ordinances of Southern cities were defended in a brief presented to the supreme court Friday by H. R. Pollard, city attorney of Richmond, Va., in a test case from Louisville, Ky., affecting municipal laws of Richmond, Baltimore and other cities to be reargued orally next month.

Photographs of negro residences, schools, churches and banks in Richmond were attached to the brief as evidence that restriction upon intermingling of whites and negroes does not curb negro development.

As white persons are prohibited from residing in negro residential sections, it was contended that there is no unconstitutional discrimination in the ordinances.

ROCHESTER N Y POST-EXP
NOVEMBER 10, 1917

No Negro "Pale."

The decision of the United States supreme court in the case of Buchanan vs. Warley, handed down on Monday is epoch-making, if that somewhat overworked phrase may be used. Briefly, it declares unconstitutional all municipal ordinances designed to segregate colored people or confine them to certain districts of a city. All classes of our citizens may buy or build homes wherever they will and can. The "pale," as it used to be known in Russia, or quarter of a town to which the Jews were confined, has no place in America being incompatible with our institutions and theory of the equal rights of men. If negroes could be limited to specified districts, other classes of our people might be; but happily our Constitution as interpreted by our highest tribunal makes this forever impossible.

Up to the Colored Men
Waterbury Conn Republican
NOVEMBER 16, 1917

The supreme court of the United States has invalidated the ordinance of the city of Louisville, Kentucky, which compelled whites and negroes to live apart in segregated portions of the city. The decision will affect similar ordinances in other southern cities; and it apparently opens the door for a successful attempt to secure for the colored people of the south other and more important rights which the constitution provides for them but which ingenious southern legislation of Bourbon democratic origin has taken away.

The opinion of the court, rendered by Justice Day, recognizes "that there exists a serious and difficult problem arising from a feeling of race hostility which the law is powerless to control and to which it must give a measure of consideration. * * * * But its solution cannot be promoted by depriving citizens of their constitutional rights and privileges."

The "feeling of race hostility" to which the court alludes is at the bottom of all the "grandfather clauses" and other statutes enacted by southern democratic legislatures to deprive colored voters of their "constitutional rights and privileges" at the polls. If this feeling can have no standing in the supreme court in a matter involving a civil right no more important than that contained in a sale of property by a white man to a colored man, or vice versa, much less can it stand in a controversy wherein are pending the highest of a citizen's privileges in a republic—the right to participate in the choice of those by whom his laws shall be made and executed.

This right has been explicitly denied to colored men in the southern states; and thus far no issue has ever been framed in a manner to reach the supreme court upon the naked question which is at stake. The present decision indicates the trend of the court's mind; and it is the duty of the colored man and his friends now to proceed to test the greater question.

HAGERSTOWN MD MAIL
NOVEMBER 8 1917

NEGRO QUARTERS AND NEGRO RIGHTS.

In nearly every case where Southern and Western municipalities have undertaken by ordinance to separate the habitations of whites and blacks there has been a pretense of subjecting both races to restrictions in the matter of owning, occupying or transferring real estate in certain districts. This was done by clever lawyers who wanted it to appear that the regulation was not discriminating; but it was well known that the purpose was to confine the negro to certain quarters and to deny him the right to acquire or use a residence elsewhere.

It must have been easy, therfeore for the Supreme Court of the United States, in deciding one of these cases, to hold unanimously that, as the police power had been exercised in this instance in violation of property rights guaranteed by the Constitution to whites as well as blacks, it was in conflict with the Fourteenth Amendment, which speaks of life, liberty and property.

CHICAGO DAILY TRIBUNE
JULY 22, 1917

CITY TAKES HAND IN MORGAN PARK 'NEGRO INVASION'

Health Commissioner Robertson took a hand in the fight against a Negro "invasion" of Morgan Park yesterday. At the request of citizens he sent investigators from his office to give the apartment building which was to house the Negroes an examination. It is charged that the building, containing about twenty flats, is in such condition as to be unfit for habitation.

The Colored People's Improvement association, Bessie Ray, chairman, and the Rev. Arthur Rogers of the Colored Baptist church are working with the white population to solve the problem and defeat the "invasion." The block in question is centrally located, with [illegible] underneath.

EFFORT TO ENJ[illegible]N SEGREGATION ACT CONSTITUTION OF CITY SOLONS

[illegible]nta, Ga.

The Renfroe negro-segregation ordinance caused another legal fight yesterday, when a move was started before Judge W. D. Ellis in superior court to restrain the enforcement of the ordinance on petition of W. T. Ashford, Fulton Investment company and Mrs. Frankie M. Van Winkle, property owners.

A temporary injunction was granted and the date of hearing set for January 27. This movement against the ordinance grew out of the recent conviction in police courts of negro tenants in Mayson avenue, in a block in which property is owned by the three petitioners. When the negroes were haled before Recorder Johnson, he held that the territory was in "white blocks" and gave the blacks ten days in which to move.

The plea of the plaintiffs before Judge Ellis is that the Renfroe ordinance is unconstitutional.

BUCHANAN ST. URGED AS RACE BOUNDARY

Atlanta

Atlanta, Ga., July 4.—(Special)—In the rebuilding of the burned area of Atlanta an attempt will be made by the whites to have Buchanan street from Forrest avenue to North avenue designated as the race boundary. This is especially the desire of residents of Bedford place, Wabash and Forrest avenues who held a meeting Tuesday night and proposed several changes in the present construction plans.

STAR

Baltimore, Md.

MAR 27 1917

CHARGE OF VIOLATING SEGREGATION LAW

Charging a violation of the segregation ordinance, Patrolman James Donoghue, of the Western district, yesterday obtained a summons requiring the appearance of J. Wilson Leakin, a real estate operator, with offices in the Fidelity Building, this afternoon at 3 o'clock. George Freeman, colored, whose residence at 404 Park avenue is alleged by the patrolman to constitute the violation complained of, must also appear in the Western District Court in response to a similar summons.

The 400 block on Park avenue is a white residential block. Under the new law the owner or agent for the property as well as the tenant is liable.

CINCINNATI O ENQUIRER
SEPTEMBER 6 1917

NEGRO STUDENTS CLUB

Formed of Walnut Hills School Pupils For Social Betterment.

Negro pupils of Walnut Hills High School have organized the first exclusively negro students' club in the history of the city. Alfred J. Hall, 2713 Alms place, is President.

Frank P. Goodwin, Director of Social Centers, and F. M. Russell, Principal of Douglass Public School, have arranged to provide quarters for the new organization at Douglass School.

President Hall, in a communication to Dr. Condon, Superintendent of Schools, says the object of the club is to provide social opportunities to negro high school students similar to those enjoyed by white students.

DIVISION OF BEHAVIORAL SCIENCE RESEARCH REEL 7

ALBANY N Y ARGUS
NOVEMBER 18, 1917

No Negro "Pale."

The decision of the United States Supreme Court in the base of Buchanan vs. Warley, handed down on Monday, is epoch-making, if that somewhat overworked phrase may be used. Briefly, it declares unconstitutional all municipal ordinances designed to segregate colored people or confine them to certain districts of a city. All classes of our citizens may buy or build homes wherever they will and can. The "pale," as it is used to be known in Russia, or quarter of a town to which the Jews were confined, has no place in America, being incompatible with our institutions and theory of the equal rights of men. If negroes could be limited to specified districts, other classes of our people might be; but happily our Constitution as interpreted by our highest tribunal makes this forever impossible.—Rochester Post-Express.

BALTIMORE MD NEWS
SEPTEMBER 22, 1917

Fears A Negro Invasion Of Govans.

TO THE EDITOR OF THE SUN—*Sir:* Negroes are flocking to our little village and may run us white people out, after we have bought and paid for our little homes, improved our property and made everything homelike. Now our efforts are all going to smash. There is no law in Baltimore county to protect us. The people out here are talking about this affair but there seems to be no push in them. Now members of the Southern Govans Association, get together and do something besides talking. Post signs up all around Govans and invite people to the meetings and I am sure we will be able to show certain people that their efforts to run us out of Govans will fail.

PROPERTY OWNER.

Govans, Sept. 20.

N Y C SUN
AUGUST 2, 1917

BUYER OF HARLEM FLATS.

The E. H. & E. Realty Corporation, Morris Workin, president, is the buyer of Hampton Court and Edinborough Court, the two seven story apartment houses at 133 to 139 West 140th street, adjoining the northwest corner of Lenox avenue, each on plot 115x99.11, and Earle Court, a similar building at 108 to 116 West 141st street, on plot 123x99.11. The property was taken from the Premium Holding Company, controlled by Sonn Bros., as an investment. It was an all cash transaction. Mr. Workin stated he had paid in the neighborhood of $500,000 for the three parcels. Also that his company did not intend to rent the flats to negroes, and would endeavor to retain the white tenants.

[illegible]
[illegible]

MAY SEGREGATE NEGROES.

Baltimore Mayor Alarmed at High Death Rate of Race.

BALTIMORE, Feb. 20.—To meet a situation of "alarming gravity" Mayor Preston announced last night that he had called a meeting of 150 physicians, social workers and citizens for next Friday to devise ways of improving the health of the negro element. The negro death rate is 28 to 32 a thousand, while the white death rate is 16 to 18.

Mayor Preston said the health records of the city show in regard to the high death rate from tuberculosis that for every white person there is a percentage of three and a half of negroes to die from the disease. He said that the poor housing conditions of negroes are chiefly to blame. It is understood the Mayor will announce a plan of partial segregation and that a section of the county may be laid out along modern lines as a negro colony.

There are nearly $9,000 negroes in Baltimore.

CINCINNATI ENQUIRER
NOVEMBER 20, 1917

NORWOOD OUSTS NEGROES

Through Ordinance Condemning Property For Street Purposes.

Four negro families living on Ida street, South Norwood, will be compelled to seek new quarters in consequence of an ordinance passed by Norwood City Council last night condemning the property for street purposes. The act is the culmination of a four months' campaign waged by the South Norwood Welfare Association.

CINCINNATI POST
AUGUST 22, 1917

COUNCIL WILL BE URGED TO RESTRICT NEGROES

The Horace Mann Welfare Association wants the Federated Improvement Associations to use influence in persuading Council to pass an ordinance prohibiting negroes residing in white residential districts.

This action was taken as the result of the sale of a piece of property on Fairfield av to a negro family. Efforts to repurchase the house have proved unsuccessful.

The association is planning to have all property owners in the vicinity pledge themselves not to sell, lease or rent property to negroes.

Wisconsin
MILWAUKEE, WIS

PLAN COLONY OF NEGROES

To Build City for 20,000 Colored People in Maryland.

BALTIMORE, Md., Feb. 24.—Plans are under way to buy enough land near Morgan college, a negro institution to build a city for 20,000 negroes, Rev. John F. Goucher, leading Methodist educator at the college, announced Friday.

The announcement was made at a civic meeting called by Mayor Preston to discuss "the alarming gravity" of the negro sanitary situation here.

It was stated that the death rate of negroes to whites here is three and a half to one.

EVENING NEWS
Baltimore, Md.
FEB 24 1917

RACE SEGREGATION

Thinks Maryland Should Give Question Consideration At Once.

To the Editor of THE NEWS:

All sections in which there are a great many of both races, with the exception of Maryland and the District of Columbia, have arrived at the conclusion that race segregation both as to residence sections and public conveyances is for the advantage of both the negro and the Caucasian.

It is time that Maryland is showing the South whether or not she is a true Southern State.

A REAL SOUTHERNER.

Sparrows Point, Md., Feb. 17.

News
Galveston, Tex.

NEGROES EMIGRATE FROM HASKELL

Dynamite Explosions and Posted Warnings Cause Removal.

Special to THE News.

Wichita Falls, Tex., Jan. 6.—As a result of recent events at Haskell, south of this city on the Wichita Valley Railroad, a number of negro families have moved here from Haskell County. Several days ago dynamite was exploded under several negro houses, no deaths resulting. In December printed notices warning land owners not to rent land to negro tenants were circulated in Haskell by unknown persons.

The negroes moving here said they considered it unsafe to remain, though most of the members of the negro colony there did not move. Residents of Haskell profess ignorance as to the source of the anti-negro agitation.

EVENING SUN
Baltimore, Md.
FEB 3 - 1917

Segregation Violation Alleged.

Charged with violating the segregation ordinance by moving into the house at 129 North Central avenue, which is in a "white" block, Leona Patrick, colored, will be given a hearing this afternoon before Justice Dawkins, at the Northeastern Police Station. At the same time David Caplan, 1008 East Fayette street, who, it is alleged, rented the house, will be given a hearing also for violating the ordinance.

According to the police, the woman moved into the house on Tuesday. The white residents of that neighborhood immediately held an indignation meeting and the matter was reported to Sergeant Barley, who summoned both the woman and Caplan to appear for hearings this afternoon.

The segregation bill introduced in the City Council of Muskogee, Okla., has been defeated, [illegible] through the efforts of the local branch of the Negro Business League.

CHICAGO TRIBUNE
JULY 22, 1917

Morgan Park Fights to Dislodge Negroes

Morgan Park's objection to tenancy by negroes of a building in its business district developed yesterday into a citizens' indignation campaign. Meetings held Thursday and Friday culminated yesterday in a promise from negro leaders to cooperate. Chicago building inspectors yesterday refused to condemn the structure. The health department has been asked to inspect twenty vacant flats in the building in the hope the inspection will prevent occupancy.

EVENING SUN,
Baltimore, Md.
MAR 27 1917

Segregation Law Involved.

J. Wilson Leakin, real estate dealer, 813 Fidelity Building, will be given a hearing this afternoon by Justice Johannsen, at the Western Police Station, on the charge of renting a house in a white block to Leo Freeman, a colored man.

It is said that Freeman moved into house No. 404 Park avenue on March 15 and on this charge the negro will be given a hearing also this afternoon.

A Mass meeting was held recently at Bristow, Oklahoma to protest against the segregation ordinances passed there. The colored people are considering secession to a separate negro town five miles away, seventy per cent of the town's trade comes from the colored people, and the colored farmers have gathered $56,000 worth of cotton this fall.

The Crisis February, 1917. P195.

Segregation - 1917

THE SEGREGATION LAWS KILLED BY SUPREME COURT.

Daily Herald nov 6, 17

Residential Segregation Laws received a solar plexus blow in the decision rendered by the United States Supreme Court yesterday from which it will never recover. Never again will prejudice and greed run riot in an endeavor to harrass and oppress a weak and helpless race by legislative iniquitous enactment, and turn such legislation into commercial advantage. Upon no principle of justice or equity can racial residential segregation legislation be founded It violates the very first principles of the right to life, liberty and happiness. No man is free and can be happy who has limitations set upon his movements or his dwelling place, and who is denied the right to buy and sell, own and use, freely and unrestrictedly, the soil which is the common heritage of all mankind. Such legislation sets a premium upon race prejudice, and encourages and stimulates it; at the same time the racial victim of such unjust laws is discouraged, disheartened, his pride is humbled, and he feels that even in the selection of a humble, but happy home he is not permitted to exercise his choice.

In its practical operation segregation laws are abominable, as well as infamous in conception and design.

Where they have been passed and enforced respectable Negroes have been forced to live in ram shackle houses, on undesirable streets, frequently in red light or contiguous to red light districts Streets in Negro segregated districts are nearly always neglected The price of real estate is always advanced, real estate dealers thus commercializing race prejudice enacted into law, and placing a penalty upon a race least able to bear it.

We thank God fervently and sincerely for this righteous decision of a court composed of just men. Its effect will be more far-reaching than annulling laws already passed, and will halt the agitation set in motion all over the South for legislation to segregate Negroes, not only in cities and towns, but in rural districts as well.

Blatant demagogues in every Southern State were waiting with bated breath for a decision upholding the infamous laws upon whose forthcoming they would pour forth torrents of race-hating oratory demanding the passage of laws segregating and separating Negroes from living among or near whites, or exercising the right to stand or walk in any space or place.

In many Southern States there is no issue upon which politicians depend to secure votes except the Negro question. Having enacted laws bearing upon nearly every phase of Negro life, the issue seemed almost exhausted, but the segregation question re-animated the hopes of the office-seekers. Now that that issue is removed, the Negro of the South will enjoy a degree more of peace. Now that segregation is disposed of Jim Crow car laws and disfranchising infamy should next be fought and destroyed.

Segregation

Chicago Tribune Dec 15 1917

Keep us apart in your cars and your schools,
Label us what you would have us, fools;
But you can't cage our brains nor fetter our souls,
Nor keep us from climbing to higher goals.
Success is something that's open to all,
And there's no segregation in Fame's long hall.

Keep us apart in your armies, too,
But remember always, we're fighting for you,
As well as for those who are less unkind,
And we pity you mostly for being blind.
Unity, only, preserves a nation,
And the Stars and Stripes knows no segregation.

Keep us apart! But whenever the need,
You'll find us ready with word or deed;
Whatever has been your prolonged abuse,
We'll not recall it as an excuse
To hide behind. It's the flag we love,
Regardless of all that it flies above.

Keep us apart. Such a little while,
Then, despite the crosses we'll learn to smile;
Learn that through working and waiting alone,
We will come, with honor, into our own.
There is something finer than caste or station,
And God's sweet heaven knows no segregation.

—Edna Perry Booth.

Brooklyn, N. Y.

MORNING STAR

Newark, N. J.

FEB 28 1914

PROTECTING THE NEGROES.

Baltimore, fourth city in the United Stat in point of negro population, has at la awakened to the necessity for taking com prehensive city-wide steps to improve th housing condition of its colored citizens. I is a problem made mandatory by the con tinued high mortality there of the rac which last year was ninety-four per cen higher than that of the whites, the re spective figures per 1,000 being 30. and 15.9.

The Health Department has thrown up its hands, as well it might, being unable to cope with the situation with the facilities at its command. Conditions will be studied by a commission to be named by the Mayor, and ultimately the resources of the taxing power will be brought to bear upon it.

No purely charitable move this, but one dictated by self-interest on the part of the whites, who have ample reason to fear the colored residents as disease carriers, and now are beginning to realize, as never before, their dependence on these people for manual labor and domestic service. Mortality tables for Baltimore show that, proportionally to population, of the two greatest communicable scourges, tuberculosis and syphilis, the negro deaths were 3.61 and 8.02, respectively, to one white death. The city today is finding these figures "startling," although something very close to them has obtained for a long while. Poor housing and inadequate doctoring are the primary causes.

Segregation on the block system prevails in Baltimore, and unrest in connection with this, together with the continued exodus of negroes to the North, is likely to be the means of putting one or more representatives of the colored race on the Mayor's commission, which, of course, is as it should be. Some of the remedies proposed are closing and parking alleys and establishing colonies in the suburbs.

This problem is one that has to be met not by Baltimore alone but also by every city where negroes are huddled into insanitary habitations, as evidenced by the fact that even in New York, where for colored people of fairly comfortable means better conditions prevail, the death rate among them is seventy-eight per cent. greater than that of the whites.

Senseless Agitation Against Morgan College Continued

Nov 7 1917

Daily Herald

That less than one per cent of the population of the section of the proposed site for the new Morgan College is colored, was the statement of C. H. Dobler, chairman of the investigating committee of the Northeast Baltimore Improvement Association, which met last night in Emmanuel Chapel, Hoffman and Eden streets.

Declaring that he was not against the education of the Negro, but for it, when in its proper place, Mr. Dobler emphasized that Morgan College, with its proposed colored settlement of 1,000 Negroes adjacent, would be very harmful to the new suburban districts in that neighborhood. The committee, which Mr. Dobler heads for the Improvement Association, is composed of John H. Butler, Elmer H. Miller, John W. Edel, Dr. W. T. Riley and Dr. H. C. Hyde. These men have worked in conjunction with the Harford Road Community Protective Association, who are also working against the school and settlement.

COURT BLOCKS MORGAN PARK NEGRO INVASION

Injunction to Halt Move Until Improvements Are Put In.

CHICAGO (ILL) TRIBUNE
AUGUST 2, 1917

There will be no "invasion" of Morgan Park by Negroes for some time. This was decided yesterday by Judge John J. Sullivan in the Superior court when he asserted he would sign an injunction preventing John Resakes, real estate agent, from renting his apartments in Morgan Park to colored people until certain improvements ordered by the health department have been made.

Out in the little suburb, noted for its trees, its park, and its Business Men's association, there is a building that occupies a whole block.

It is said the agent, failing to secure white people for tenants, advertised in the Second ward and immediately there was a rush by Negroes to secure the "greatly reduced" apartments.

But the Morgan Park Business Men's association got wind of this and immediately started something.

Then all of a sudden a Mr. Manns, the Negro real estate owner, rose and filed a petition for a writ of injunction in the Superior court.

This was met with a cross injunction filed by the angry citizens who sought to keep the Negroes out of the town. And yesterday after Judge Sullivan had heard health department officials testify that the condition of the flat building was anything but healthful he granted the petition for the cross injunction.

The writ will be signed this morning.

INTER OCEAN

Chicago, Ill.

News

APR 6 - 1917

RACE PROBLEM SCHOOL ISSUE

White Parents Assail Conditions at Wendell Phillips.

The fight against colonization of colored people in south side districts waged by the Chicago real estate board is a vital issue in the public schools to-day. At a meeting of the school management committee the color question was injected by a committee of citizens headed by Dr. Joseph I. Cumroe from the Willard school district. Dr. Cumroe asked that a

unior high school be established at the Willard school, 4901 St. Lawrence avenue, so their children would not have to go to the Wendell Phillips high school. The delegation complained of the immoral conditions about the Wendell Phillips. Mrs. MacMahon of the school board pointed out that immorality was not the real issue.

"The real reason is that the Phillips school has a large number of colored children in attendance," she said, "so why mince matters and refer to conditions as immoral when we mean there are colored students there?"

Dr. Cumroe admitted that two-thirds of the pupils are colored and declared white children "should not be compelled to sit with the colored children." The matter was referred to Superintendent Shoop.

Members of the real estate board and a committee representing colored renters will meet within a week to decide on some plan to prevent colored people from invading white residential districts.

Kansas City, MO.

FEB 7 1917

WOULD SEGREGATE THE RACES.

A Kansas Side Organization Is Seeking a Standard Bearer.

A committee was appointed by the Kansas Side Segregation League last night to select a man to run for mayor on the issue of setting apart sections of the city for negroes.

The meeting was held in the Edgerton Place Baptist Church. R. M. Eagle and James DeCoursey, two of the candidates for mayor, attended. Both stated they did not believe this question should be brought into the political campaign.

Whites Object to People of Color in the Third Ward

An organization known as the Community Property Owners' Protective Association, in the district bounded by Thirty-ninth street, Fifty-first street, Cottage Grove avenue and Michigan boulevard, met Tuesday night to discuss plans for keeping "undesirables" out of the zone, meaning Race people. That was a statement said to have been made by William Cirk, a realty dealer, 404 East Forty-seventh street, who was elected secretary. William O'Brien, in addressing the meeting, stated: "We don't want any gentlemen of color or gentlemen off color in our midst." If correctly quoted, we wish to ask O'Brien this question: Do you want the same conditions to exist in this community that prevail in Ireland, where subjects are treated no better than pigs by England? The cry in this country is democracy. O'Brien is evidently of Irish descent and should consider. A number of speakers refused to give their names, declaring the meeting should be kept secret.

The meeting was held at Warwick hall, East Forty-seventh street and St. Lawrence avenue. It is said plans were discussed to raise $400 for the work. A number of Race people are at present living in the district and have no intention of vacating.

BALTIMORE MD SUN

FEB 22 1917

Colored "Society Caterer," Who Opposes Segregation Laws, Thinks The Negro Race Should Be Consulted In The Housing Movement.

TO THE EDITOR OF THE SUN—*Sir:* It is so rarely that one of us has an opportunity of agreeing with your editorial statements concerning our people that I hasten to thank you for that of this morning regarding the coming conference called by the Mayor to consider housing conditions among the colored people.

There is nothing more vital to us at this time, and while all segregation laws, based solely on color, we contend are wrong, those which fail to make any allowance for healthy living conditions are crimes not only against the colored but against the more numerous whites as well.

I commend especially the part of your editorial in which you advise consultation with some of the race directly interested, and I feel such is the ultimate plan of those inaugurating the conference, but the need is so vital that we will welcome and adopt any plan, regardless of its source, which will tend to assist along these lines. The personnel of the Mayor's committee indicates that the matter will not be taken up in any disinterested manner.

E. B. TAYLOR.

Baltimore, Feb. 21.

SUE TO BLOCK NEGRO COLONY

BALTIMORE MD SUN

MAY 20 1917

Belair Road Residents Ask Court To Enjoin Morgan College.

Suit was instituted yesterday in Circuit Court of Baltimore county at Towson for an injunction against Morgan College, the colored institution, carrying out its proposed plan of establishing a negro colony in connection with the college on the land recently bought from the Ivy Land Company on the Belair road.

The proceeding was instituted by Russell I. Diggs, Anna C. Diggs, Samuel W. Lawder, George H. Franklin, Margaret B. Franklin, William Henry Beck and Johann C. Beck, all property owners in the vicinity. It alleges that the college has bought much more property that it needs, and that it proposes to use the excess property in establishing a negro colony. It recites the opposition aroused throughout the entire neighborhood to the establishment of the college and colony there; states that the neighborhood is an entirely white one; that large sums of money have been spent in its development, and that the introduction of a negro settlement would destroy property values and bring ruin to the present residents in the neighborhood, most of whom own their own homes.

The bill also alleges that the college has no power under its charter to buy property for the purpose of establishing such a negro colony, and seeks to enjoin the college from carrying out such purpose.

BROOKLYN N Y EAGLE

NOVEMBER 6, 1917

NO SEGREGATION OF NEGRO HOMES.

Absolutely barred by a unanimous decision of the Supreme Court of the United States the ordinances of Baltimore, of Richmond, of St. Louis become null and void along with that of Louisville to compel the segregation of negro housing accommodations within city limits. The decision of a lower court that this is within the proper exercise of police powers is reversed. The attempt to treat the negro as if he were a leper could hardly be more severely rebuked.

Section I of the Fourteenth Amendment to the Constitution of the United States says:

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States.

"All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the State wherein they reside." Negroes are citizens. Their privilege to live where they please to live provided they own or lease homes cannot be abridged by the State of Kentucky, or any other State, or any civil division of any State, by law, ordinance or police order.

As the opinion of the court notes, so-called Jim Crow laws as to street cars and steam cars, and laws for separate schools have been sustained, always with the proviso that the accommodations for travelers and for school pupils should be the same for both races. The trend of Supreme Court decisions is toward going a very long way in broadening the police powers of the States. But this segregation of homes is a flat defiance of the terms of the Constitution. The judges of the court of last resort cannot see that it would have the effect claimed for it of lessening race disorder.

We are glad that this decision has been reached without any division of the court. It is pleasant to think that judges from the South, from the North, from the West, Democrats and Republicans, concur in enforcing the reconstruction rights of the colored people under the Fourteenth Amendment. Factional or sectional juggling with organic law by court interpretation is one of the most serious perils of any republic.

Baltimore to Submit to Segregation Decision Without Further Contention.

Daily Herald, "1917"

City Solicitor Field and other lawyers expressed the opinion yesterday that the decision of the Supreme Court of the United States invalidating the Race Segregation law of Louisville, Ky., rendered any further legislation on the subject useless. None of them, however, would speak officially before studying the decision

Mr. Field said that the newspaper accounts of it inclined him to the opinion that it would be futile to attempt to pass another ordinance for Baltimore, and the trend of opinion among municipal officials, including City Councilmen, was that race segregation was dead.

Whether the laws separating the races in street cars, steamboats, railroad trains and in public schools would now stand the test was a question the City Solicitor said was "very interesting." It is a point he will look into carefully when he receives an official copy of the opinion.

RACE IN MANSFIELD FIGHTS SEGREGATION

MANSFIELD, O.—The recent sale of a residence property in the north part of the city of Mansfield to a Colored man precipitated an agitation on the part of some of the residents in that section and a meeting was held to protest. It was suggested that the city planning commission set aside a section of the city for the Colored folks to live and that they be prevented from living elsewhere in the city.

The Mansfield Colored people held an indignation meeting in the lodge room of the Colored Knights of Pythias. One of the speakers declared that the supreme court has held that the law of segregation is unconstitutional. A committee of 10 Colored people was appointed to meet with the city planning commission and hear the opinion of the members of that body as to what the zoning of the city really means.

BLEW UP A NEGRO'S HOME

DYNAMITE PLACED IN BASEMENT AT 2801 HIGHLAND AVENUE.

The Explosion Wrecked Cellar Walls, Shattered Floors and Windows, but Injured None—Had Received Threats.

KANSAS CITY MO STAR

AUGUST 10. 1917

An explosion in the basement of a cottage occupied by Joseph Thompson, a negro, at 2801 Highland Avenue, at 2:40 o'clock this morning, damaged the building, shook the neighborhood and awakened sleeping residents in a radius of several blocks. The basement walls were blown out, the windows shattered and the windows in the cottage next south, unoccupied, were blown out. The explosion evidently was caused by dynamite placed against the foundation.

Thompson moved from the Kansas side to the cottage Tuesday, in spite of warning notices posted on the cottages that occupation by negroes would be followed by explosions. Thompson, a chauffeur, and his family were sleeping in the cottage, but none of them was injured.

FIND NO TRACE OF DYNAMITERS.

Police were sent to the place from the stations at Thirty-seventh Street and Woodland Avenue and from Twenty-first Street and Flora Avenue. No trace of the dynamiters was found.

Persons at Thirty-first Street and Woodland Avenue were awakened; also persons at Twenty-ninth Street and Bellefontaine Avenue. The foreman of the car barn at Forty-eighth and Harrison streets said he heard it plainly.

OTHER EXPLOSIONS NEARBY.

Similar explosions have occurred in the neighborhood as a result of property owners to keep out negro residents.

Twenty-eighth Street, under an understanding between white residents of the vicinity and real estate men, has been the dead line for negroes. About two months ago notices that explosions would occur if five new cottages on Highland Avenue were filled with negroes were tacked to trees on Highland and Woodland avenues. A notice also was left on the porch of the house Thompson bought. Max Morris, a real estate man with offices in the Gloyd Building, built the houses, had advertised that he would rent or sell them to negroes.

The Thompsons moved into the house without having been told, they said, of the warnings. They said today that they would move, probably returning to their former home on the Kansas side.

Segregation – 1917

Growth of Colored Population Wipes Out 1600 White Members of St. Mark's Church

HARLEM N Y HOME NEWS
MAY 22, 1917

The congregation of St. Mark's Church on W. 138th St., near Lenox Ave., furnishes a striking illustration of the remarkable increase in the negro population of Harlem within a comparatively brief period. In 1913, St. Mark's had a membership of approximately 1,600 persons, exclusively white.

Today there are five or six white families connected with the church. The balance of the congregation is made up entirely of negroes.

The influx of colored people in this section has been especially great since the beginning of 1917. With the exception of W. 140th St., the territory included between 139th to 144th Sts, east of Lenox Ave., has been nearly completely taken over by negroes in the last six months. The total colored population of Harlem is now estimated at 75,000.

Rev. C. J. Plunkett Active.

The Rev. Christopher J. Plunkett, who has devoted all his life to work among colored people, came to St. Mark's Church from St. Peter Claver's, a negro parish in Philadelphia, toward the end of 1912.

The change in the population of St. Mark's Parish was then just beginning and the transition period proved a very trying time in the history of the parish. However, experience and energy worked marvels. Father Plunkett kept the wheels turning smoothly until the transformation was completed in his parish without friction.

St. Mark's Church demonstrates needed missionary work accomplished right here in New York. A school was built in 1914, for the children of the parish. Five secular and three religious teachers are in charge and the enrollment is five hundred.

The few white children remaining in the parish attend this school on the same basis as the colored pupils. The teachers are all white women.

St. Mark's Hall was built in the same year and provides a centre for the social activities of the parish. Dances, card parties, meetings, etc., are held here.

Among the societies connected with St. Mark's are Holy Name, Senior and Junior, St. Mark's Beneficial Society, for men and women, an organization which provides sick benefit insurance for its members; St. Mark's Sewing Circle and Troop 68, Boy Scouts.

The officers of H. N. Sr. are Reginald Rossi, president; Louis Cook, treasurer. The officers of H. N. Jr. are Alrich Thomas, pres.; James Williamson, vice-president; Joseph Steber, secretary. Mrs. L. Jeffers is president, William Sargent is vice-president, R. Rossi, secretary, and Thomas Goshen is financial secretary of St. Mark's Beneficial Society.

The Rev. J. J. Rowe is scout master of Troop 68 and C. J. Perry is his assistant. The troop takes hikes every week. The membership is 105 and the boys all have uniforms.

They have raised funds in various ways to provide comfort kits for members of the 15th (colored) Regt. The Sewing Circle has also been occupied with work for this regiment, which numbers many young men from St. Mark's on its roll.

The people of St. Marks and their friends have recently purchased a beautiful marble shrine of Our Lady of Victory, which will be unveiled in the church in the near future. The embossed chalice on the tabernacle and the carved design of grapes and wheat surrounding it are worth seeing as works of real art.

That of which St. Mark's is especially proud, however, is the service on Sundays. There are four masses and often at these services the only white person in the church is Father Plunkett.

The choir is very fine and the organist, Mrs. E. Hanley, is an excellent musician. The acolytes, in their snowy surplices, are highly picturesque.

There is only one white boy among the seventeen. He is Eugene Phillips. The others are Clifford Qualdo, Peter Wattely, Walter Thomas, Olive Clukies, Cyril Farrell, Walter Scott, Maurice Weeks, Harold Smith, Edgar Taylor and Rudolph Williamson.

SEGREGATION IN U. S. COURT

City Authorities and Police Dept. Fail To Recognize Recent decision of Supreme Court

DR. COLEMAN ARRESTED

Atty. McGuinn Secures His Release On Habeas Corpus Proceedings, However.

The Ohio American Nov 24-17

As a result of the city authorities and the police department failing to recognize the recent decision of the United States Supreme Court abrogating the Louisville segregation law, the validity of the Baltimore segregation ordinance is now before the United States District Court for interpretation.

The case is that of Dr. William T. Coleman, who bought the dwelling at the corner of McCulloh and Bloom street, and moved therein.

A warrent was sworn out for the arrest of Dr. Coleman, charging him with violating the law by moving into a white block. He was arraigned in the Northwestern Police Station Friday morning of this week, where Justice Brendel held him in $300 bail for the action of the Grand Jury. He refused to give bail, and was placed in charge of Capt. George G. Henry, awaiting to be sent to Jail.

Attorney Warner T. McGuinn went before Judge John C. Rose, of the United States Court, armed with a petition for the release of the doctor through habeas corpus proceedings. Judge Rose decided to hear the argument on December 4, and released Dr. Coleman on $100 bail.

The petition for habeas corpus proceedings states that Dr. Coleman bought the property sometime ago but did not move therein, being advised that the segregation law prevented such. He moved into the dwelling after the Supreme Court annulled the law of Louisville.

The petition concludes with the assertion that the Baltimore segregation law is "null and void in that the same violates the Fourteenth Amendment of the Constitution of the United States guaranteeing to all citizens thereof the equal protection of the law preventing any State from the interference with the property rights of any citizen except by due process of law."

NEGRO COLONY PLAN AROUSES RESIDENTS

BALTIMORE MD NEWS
SEPTEMBER 7, 1917

York Road Property Owners To Hold Meeting.

Residents of that section of Baltimore county on the York road, just over the city line, are up in arms over the proposed establishment of a negro settlement on the Teackle property within a short distance of their homes.

It became known recently that 12 acres of ground had been purchased through a real estate office for a group of negroes. The identity of the purchasers, however, has been kept a secret. It was learned that a settlement, similar to the one on the Ivy Inn property, just a mile away, would be established, and the residents began to hold indignation meetings.

These meetings, however, held in the various communities, failed to produce the desired effect. So, with the view of organizing the residents of the entire section, a meeting will be held within the next week at the home of John J. Ringgold, on Spring Hill terrace. It will be one of the largest meetings of protest ever held by the residents.

BALTIMORE MD AM
OCTOBER 11, 1917

To Fight Negro Settlements.

A public mass meeting has been called for tomorrow night in Golden Eagle Hall, Govans, to protest against the locating in that community of negro settlements. All the residents living along the York road from North avenue to Walker avenue and adjacent thoroughfares are invited to attend.

Wimalaight Guide.
Journal
Dec. 13, 1917.

SEGREGATION

The Assistant City Attorney of Norfolk was quoted in one of the daily papers Tuesday as saying that "in effect, the Norfolk race segregation ordinance is, under the recent decision of the Supreme Court of the United States, unconstitutional and void. The City attorney's office, it is was said, had reached that conclusion after examining the full text of the Supreme Court's decision, handed down the first week in November, a copy of which had just been received.

There has not been any doubt in the minds of many of those who have followed closely the history and progress of the Louisville case that the Supreme Court's decision not only established the invalidity of that city's ordinance but similarly affected all other segregation ordinances in existence The fight carried up from Louisville was directed against legal segregation of the races and not against any particular method of accomplishing it.

In view of the importance of the decision it may be of interest to note that the first opinion unreservedly adverse to segregation was rendered by a Norfolk judge. In dismissing the first case brought before him for a violation of the Norfolk ordinance former Police Justice James S. Barron declared that legal segregation of races was "unconstitutional and unreasonable," and that a segregation ordinance could not be drawn that would not be a direct violation of the Federal Constitution. The ordinance was several times amended with the hope of overcoming Justice Barron's objections, which were substantially the same as those upon which the Supreme Court based its recent decision. The question was carried to the higher Virginia courts from Ashland, Richmond and other cities, and sustained, the only judge to anticipate the de-

SUN

Baltimore, Md.
MAR 16 191

NEGRO NEIGHBOR OPPOSED

Residents Want Him Kept Out Of Elliott Street House.

A delegation of property owners of the 3500 block Elliott street called upon Lieut. J. Wesley Creamer, at the Canton Police Station, yesterday and asked that Alexander Robinson, a negro, be prevented from moving into the house at 3522 Elliott street. They allege that there are no negroes in the block, and that if Robinson moves into the house their property will depreciate in value. A number of the residents of the block are buying homes through building associations. Robinson now lives at 3507 Hudson street. He bought the property at auction several days ago, but it was believed at the time he would sell the house, which was formerly the home of Mrs. Elizabeth Faber, Baltimore's first policewoman.

There is a negro Baptist church opposite the house bought by Robinson, but none of the attendants live in the block. There is no law in the county prohibiting a negro occupying a house in a white block.

NEW ORLEANS TIMES PICAYUNE
AUGUST 22, 1917

NEGROES ASK INJUNCTION.

Many in Restricted District Protest Segregation Ordinance.

What appears to be an organized movement among the negro prostitutes of the restricted district against the operation of City Ordinance No. 4118 C. C. Seriee, a segregation ordinance, came out in the Civil District Court Monday when a large number of petitions, identical in language, a exception, were same attorneys with on. The first petition filed was filed by Evelyn week and Judge Skinner granted the temporary injunction. It said that the first attempt by the city at a segregation ordinance, No. 4485, had been declared unconstitutional by the Supreme Court of the state.

Those filing petitions Monday were Hattie Bob, 1503-07 Iberville district; Lula White, 235 North Basin street; Mattie Mosely, 1509-11 Iberville; Leon Quillou and Annie Hebbert, 226-28 North Robinson street. Lula White denies in her petition that she is "of the negro, colored or black race; although petitioner admits that she held herself out for the purpose of her business only as an octaroon."

"THE PASSING OF SEGREGATION"

Louisville News

By George M. McClellan,
Author of "The Path of Dreams,"
Louisville, Ky.

In coming years November 5, 1917, will not be remembered and celebrated by the Colored people of the United States as a day of great victory for them, nevertheless nothing since the emancipation proclamation has ever come to the Negro race in America so important as the final and forever more knockout blow the Supreme Court of the United States gave the segregating laws already in force in a number of cities, and what is still more important, to those cities lying wait to pass the same iniquitous law if the case before the Supreme Court was upheld. The case on which the decision is rendered is known as the Louisville case. It is utterly useless to discuss the illogical and ridiculous positions put forth here in Louisville to secure the passage of the law in the beginning and held to until the last in the name of legislation calculated to promote good will between the races, prevent conflict and for the best good of the Colored people. What was most preposterous of it all, the advocates and framers of the law claimed that the law was fair in its intent and in its provision and that its advantages and disadvantages worked EQUALLY on black and white. No such a law in the very nature of the case could be fair even if the intent were. If the white and Colored people had started together onto the ground floor to build the city of Louisville some sort of fairness could have been provided for the situations which prevailed at that time, but with Louisville a hundred years old and every desirable spot in Louisville in the hands of the white people and all the undesirable in the hands of the Colored to pass a law confining each to the place he then held, binding the Colored people to all the evil situations of the sections in which at the time they were necessarily in, shutting off equal opportunity for bettering our living conditions and circumscribing us to almost impossible conditions, and then put forth those blatant arguments, which were printed at the time, about fairness and good intent, was an insult to our intelligence, and added injury by sneeringly charging that our objections to the law was because we wished to live beside of white people. The bitter feeling which the arguments and the law forced on us produced was unspeakable hatred and infinite scorn, which the Supreme Court in no sense abates by wiping out the pernicious legislation.

The Louisville Times editorially becomes very paternal in retrospective regret that so good a law failed to stand and a good natured separation of the races does not obtain, and the Post editorially adds that it still thinks that the best thing that could have happened to the Colored folks to have had them build up a residential section of their own that would serve as a model for the race. Thanks, that is exactly what the Colored people wish to do and will do. The only point of divergence in the Post's wishes and ours is that we desire to select the residential locality for ourselves and that we will do without the remotest consideration of the Beckley-Chevalier agency. In Louisville the passing of the segregation law was purely a Democratic measure four years ago. A few days ago the Democratic administration, driven to desperation to show its good deeds and why it should be kept in authority another four years, cited as one of its most laudable deeds the segregation of the Negroes. November 5 the Supreme Court unanimously expressed its opinion of this one act of the administration, and the next day Louisville expressed its opinion of the entire administration by sending it down to a most inglorious defeat—inglorious because it went to defeat by revolt in part of its own party. The Democratic administration will rise again, but segregation is dead for time and eternity.

Passing from Louisville to the whole country, the knockout blow of segregation is as great a benefit to the white race as it is to the Colored. This blow dealt vicious legislation against Colored people is but a beginning of the end of many things hanging as mill stones on the necks of white people by their own electing. At Dunbar School we have a sand box square in which the older boys are accustomed to box and wrestle, while the little boys play at holding each other down. I often watch this game. During the contest there is much flirting of legs, rolling over of bodies, while a shouting multitude cheers on the heroes. Finally one boy wins. He comes from the arena panting, grinning and gloriously triumphant, but in all his glory there is one thing he does not see—namely that he is just as much exhausted, just as much begrimed with dirt and sand as is the boy he held down and that all the time he was holding the boy down, he had to stay down with him.

For fifty years this holding down and in his place has been the game of the white South above all other games. What ever may be true of individuals and groups it would be foolish on our part to regard the whole white South as malicious toward us. Very generally it wishes us well and no doubt believes much of the time that it is doing the best it can for us. Its egotism of unqualified superiority is the egotism of the whole white race and in that lies chiefly the basis of all the trouble. It can not yet rise to the belief that there lies within us as a race possibilities equal to that of all other races and thus give in all things a free and untrameled chance. Neither does it recognize in inexpressibly small as men a large part of its own race is, and how we largely fall into the hands of that class more than any other for our adjustment. Hence segregation and all other evils, all the way down to lynching and burning. So hampered is the white race it can not act on or possibly see plain constittuional rights that a high school boy could see if the question at point turns on Negroes and contrary to his personal likes and prejudices.

Even Kentucky's Court of Appeals, called to consider the validity of segregation, ignored all questions of constitutional rights and occupied itself in pointing out Kentucky's policy of separating the races. Freedom from such obsessions in a broad democracy is just as much for the good of white people as Colored, no matter hom much such freedom at first rubs on local feeling.

As a race we have nothing to gain by blindness to the fact that that full rights and privileges are nobody's rights and privileges except as they are lived up to. We will live up to all that is granted or that we take, I believe, and the day is when for us it is Nullo pede retrosum.

MAYOR AND CITIZENS TALK ON SEGREGATION

(Special to The New York Age.)

BALTIMORE, Md.—The "bottling-up" of Baltimore's colored population through the operation of the local residence segregation law and the resultant unhealthy and burdensome conditions caused thereby, have aroused some of the leading men and women of the city, and plans are being considered for bettering the housing conditions among the colored people of this city.

Pursuant to a call from Mayor Preston, a number of prominent men and women met at the City Hall last Friday afternoon and held a lengthy conference regarding conditions.

A number of the whites seemed to be of the belief that the segregation law was burdensome and unnecessary, as was evidenced by an appeal for better housing conditions by the Rev. George A. Griffiths, pastor of St. Mary's P. E. Church. His atatcks on segregation caused Mayor Preston to remark that the law and its operation were not topics for the discussion. Mr. Griffiths declared that segregation caused the congestion.

Dr. John F. Groucher told of plans that the trustees of Morgan College have for acquiring about sixty acres in the suburbs and locating the college and high-grade homes for colored people there. This plan, he intimated, depended upon the way that the whites felt about it.

In calling the conference to order, Mayor Preston stated that the matter of housing among colored people was a community question and told of the paving being done by the city in small streets and alleys so as to make for better health conditions.

Dr. John O. Spencer, president of Morgan College, is optimistic about the result of the conference. "I believe that conditions may be greatly remedied thorugh the medium of this conference," he told a representative of The Age.

The Rev. C. G. Cummings, the Rev. D. G. Hill, the Rev. W. M. Alexander, W. Ashbie Hawkins, Dr. B. M. Rhetta, Dr. R. M. Hall, the Rev. J. R. L. Diggs and L. H. Davenport were among the colored men in attendance.

Mayor Preston announced the appointment of an all-white committee, Monday to consider the housing question. He named the following:

Dr. John D. Blake, Commissioner of Health; Dr. William T. Howard, Assistant Commissioner of Health; James W. Champan, Jr., President of the School Board; N. G. Grasty, Secretary of the Board of Supervisors of City Charities; Dr. Theodore C. Janeway Dr. Henry Barton Jacobs, Dr. J. W Magruder, executive secretary of the Federated Charities; the Rev. Charles A. Evers, pastor of St. Barnabus Colored Catholic Church; Gen. Laurason Riggs, president of the Board of Police Commissioners; former Judge Alfred F. Niles, Morris Whitridge, Robert Biggs, James Swan Frick, Mrs. Huntington Williams and Mrs. Charles E. Ellicott

WHITES SEND OUT A VILE LETTER

The American

Opponents of Colored Property Owners Used Dirty Method to Secure Fund For Legal Fight.

REV. FRY GETS LETTER.

Was Evidently Mailed to Him Through Mistake.

In an effort to prevent colored people frorm locating on a 22 acre tract east of the York Road, certain white residents have sent out a scurrilous circular appealing for funds to fight the colored residents.

The circular is headed "Negro Invasion of Govans," and by implication charges the colored residents who would buy lots and build homes there as rapists, housebreakers and disorderly characters.

One of the circulars by accident was mailed to Rev. James A. Fry, a depositor at the Citizens' States Bank of Govans, and pastor of a Baptist Church at Govans. A J. Stork, said to be an employee of the bank, is named as treasurer of the anti-Negro fund.

REV. FRY INDIGNANT

Rev. Mr. Fry was highly indignant over receiving the circular. He said that M. P. Kohoe, whose name is one of the four signed thereto, is a lawyer with whom he has done legal business.

Rev. James R. L. Diggs, who was with Mr. Fry when he exhibited the circular, said that the contents are such as to call forth the vigorous protests of the colored people.

Mr. Harry O. Wilson, who purchased the tract, says that it is located east of Guilford.

"The kickers," he went on to say, "are not the residents in the immediate vicnity but those who live at a distance. No home will be erected there to cost less than $1,500, and those who occupy them will be of a class of whom the opposite of the letter must be said."

Mr. and Mrs. Noah Dupree, formerly of Baltimore, have built a home on the tract and are now occupying it.

The almost-indecent letter is, in part as follows:

"Do you realize to what extent property values will depreciate when once the outrage is perpetrated upon our community, and that real estate holdings, representing the savings of a lifetime, in many cases, will dwindle hopelessly in value.

"Do you realize that such a colony would destroy the safety of your homes from intrusion, imperil the sancity of your firesides and the safety of your wives and daughters?

"Do you realize that such a colony in close proximity of our homes, must certainly result in rowdyism and lawlessness in the community and on the cars operating on the York Road?"

The circular closes with an appeal for funds with which to lega combat the threatened "invasion."

Exclusion Of Negroes.

Further steps to prevent Negroes owning property in the Walnut Hills section of the city were taken by a largely attended meeting of the members of the Horace Mann Welfare Association Tuesday night at Horace Mann School Building. Five committees were appointed, the committees each having five members, a total of twenty-five persons, to canvass a large district of territory and sell property during a period of thirty years to any except white persons.

Segregation—1917

Great Mass Meeting at Bethel Last Night

Daily Herald Nov 16-17

Race Leaders Express Views on Supreme Court Decison

KILLING THE SEGREGATION INFAMY

Baltimore turned out to pay their last respects to "King Segregation," who died on Monday, November 5th, by a decision of the Supreme Court of the United States. The meeting was called by the local branch of the National Association for the Advancement of Colored People. Hon. W. Ashbie Hawkins, president, presided. The meeting was opened by prayer by Rev. Sampson W. Brooks, pastor of the church.

In addition to being a celebration of the segregation decision, it was also the annual meeting of the association. Miss Ethel Lewis, secretary, read her annual report. The report touched on meetings that had been held by the association, membership and a financial statement. The report was good. It was received and adopted by the body.

Hon. W. Ashbie Hawkins, who is the counselor as well as the president of the branch, reported on the work of his department during the last year. It was due greatly to him that the decision of the Supreme Court was favorable. Mr. Hawkins sacrificed personal interest to make his fight a successful one.

A telegram was received from Miss Mary N. Ovington, of New York City, who was to have been one of the speakers of the evening, stating that on account of previous engagements, she could not be present.

Also a letter from Congressman George H. White, of Philadelphia, was read.

Mr. Hawkins introduced the principal speaker of the evening, Bishop John T. Hurst, of our city. Bishop Hurst, in his speech, brought out America's problems and their effect on the Negro in this country, and was well received and generously applauded.

Mr. Hawkins made a plea for membership, after which he called for yearly dues. These amounted to $57.50, and with a table collection of $21, the receipts for the evening amounted to $78.50.

Lawyer William C. McCard then took charge of the meeting and presented Mr. Hawkins with a Thirty-third Degree Masonic ring, as a token of esteem from the colored citizens of Baltimore for his most valuable services he had rendered the community and country at large. Mr. Hawkins, who was completely surprised, made quite a fitting and eloquent reply in which he declared that his heart was in his work and that he would fight for our rights to the last ditch.

The new officers elected were as follows: Dr. W. C. McCard, president; Miss Nannie B. Groomes, vice-president; Mrs. Carrington L. Davis secretary; Mr. Joseph P. Evans, treasurer; executive committee, Dr. E. Very Stokes, Mr. Harry O. Wilson, Dean William Pickens and Mr. W. T. Andrews, editor of The Daily Herald.

TIMES-PICAYUNE

New Orleans, La.

MAR 1 1917

SEGREGATION OF RACES.

In Philadelphia, to which city many of the Southern negroes moving North have finally drifted and where, as we have noted, conditions have in consequence become very disagreeable, a general committee and eight subcommittees have been appointed to investigate questions that have arisen and to suggest the proper treatment. The same issue has presented itself in many Northern cities, and various plans of action have been proposed. It has come prominently to the front in Chicago, where the problem presents some new features. Chicago has not a large negro population as compared with the Eastern cities, having only 57,863 negro residents. Recently, however, a movement has been inaugurated by the negroes of the town to strengthen themselves politically and otherwise by increasing the negro population of the town, and a plan has been perfected by some colored politicians to bring 20,000 more or less people on the theory that this would result to the advantage of the colored people throughout the country by giving them a better standing and greater influence and would prove specially advantageous and beneficial to those of the race in the city itself.

It was probably this movement and the large number of negroes who have crowded in lately that has resulted in the development of a strong sentiment which the St. Louis Post-Dispatch seems to believe will win out, for a segregation law providing separate residential districts for white and negro residents and shutting the latter out of those where the whites are in a majority, and vice versa.

Similar conditions have resulted in similar legislation in a number of other cities North and West. Baltimore, which a dozen years ago saw entire sections of the town turned from white to black, was the first to act in this matter; and found it no easy task to frame a law or ordinance that would be within the law and not transcend any provision of the Constitution.

St. Louis, under a similar influx, passed a segregation law fixing the limits of the white and negro districts, and found the task equally difficult. The first law framed on this subject was thrown out by the courts as beyond the law. The matter was then left to a referendum, and the vote on the subject proved how widespread the sentiment in favor of the segregation was, for it was carried by an overwhelming majority for the city and for each of the wards and districts. Similarly Louisville and other towns have either passed such laws or have them under consideration.

This is not unexpected in the border towns lying close to the Mason and Dixon line, but it is a surprise for Chicago, which has in large part held to extreme views on the race question and disposed to criticizing the Southern states because of their ideas. The new Chicago movement is based on the economic side of the matter—that the settlement of a large number of negroes in any residential district has the effect of depreciating the value of property in that section. The segregation idea has unquestionably hearty support in Chicago in those residential sections occupied exclusively or nearly so by whites. Whether it is strong enough to carry through even a limited measure of this kind is doubtful, says the Post-Dispatch, which is opposing such legislation in St. Louis, where it has been adopted, and Chicago, where it is proposed, but while it recognizes that there are evils resulting from the crowding of races together, the evils resulting from a segregation law such as is proposed are greater. "The favor with which the proposal has been received by many," says the Dispatch, "in so typical a Northern city as Chicago seems at least to indicate that the segregation of races is not a distinctive Southern remedy."

Should there be any legislation on this subject, shutting the negroes out of any section of Chicago, it would remain as a striking evidence as testimony on the sectional side of the problem—that Chicago, which has always been preaching to us on this subject—should propose to do what has not been done in any city in the real South, but only on the borderland.

SEGREGATION CASE

(Conitnued From Last Week)

"The individual characteristics of the owner do not furnish a basis on which to make a classification * *" *Quong Wing* v. *Kirkendall*, 223 U. S. p. 64.

When the Hon. Clayton B. Blakey, in his brief p. 11, quotes Mills on Liberty, Ch. 4, saying: "As soon as any part of a person's conduct affects prejudicially the interest of others, society has jurisdiction over it * * *" so unfortunate to the side of the plaintiff in error, as the Hon. H R. Pollard in his Brief page 57, believes but an apposite quotation to mark the line of distinction between the personal attributes of the individual, and his property, or the use to which the property is subjected by him, and which distinction has led this Honorable Court to remark:

A discrimination founded on the personal attributes of those engaged in some occupation and not on the value or amount of the business, is arbitrary. *Quong Wing* v. *Kirkendall*, 223 U. S. p. 64. Richmond Planet 4/14/17.

And the maxim *sic utere tuo ut alienam non laedas* which the Hon. H. R. Pollard quotes to refute the above position of the Hon. Clayton B. Blakey, but strengthens the same for the reason that the word "tuo" in the Roman law from which the maxim is derived, was used in the limited sense of "*property*" therein, and had no reference to the personal attributes of the individual.

The Thirteenth Amendment to the Constitution of the United States made persons both citizens of the United States and of the individual States.

Although after this great union was formed, political parties arose holding divergent views as to whether the federal body politic should be construed as a union of INDIVIDUALS, or of the STATES, when the Constitution of Virginia was adopted in the year 1902, the present State government was composed of INDIVIDUALS who formed the electorate, and not of CLASSES, white or colored, who formed the State.

That while we agree with the Hon. H. R. Pollard that in the case of *State* v. *Darnell*, 166 N. C. 300, the Court said:

"An ordinance cannot legally be made which contravenes a common right, unless the power to do so be plainly conferred by a valid and *competent* legislative act * * "

and then held the Winston-Salem ordinance void because the legislature of North Carolina had failed to invest the Council with power to legislate on that subject up to that time, it will be noted that the Court was careful to say that such legislative act must be "competent." For that Court then goes on to say: "Besides an ordinance of this kind forbids the owner of property to sell or lease it to whomsoever he sees fit, as well as forbids those who may be desirous of buying or renting property from doing so where they can make the best bargain. Yet this right of disposing of property, the *jus disponendi*, has always been held one of the inalienable rights incident to the ownership of property which no statute will be construed as having power to take away."

DIVISION OF BEHAVIORAL SCIENCE RESEARCH REEL 7

While it is proper to classify property, as well as to classify the uses to which it is put by the owner, by making the property, or the use either lawful, or a nuisance, the differences in the owners who use the property cannot be legitimately classified, whether it be of color, race, religion or nationality. (See Brief Hon. Clayton B. Blakey, pp. 10 and 11.)

We maintain that it is unfair to condemn a whole race for the faults of a few individuals of that race. The colored man does not desire social equality, or does he look upon separateness as a mark of inferiority, but what he asks is, equal protection of his rights of property before the law; that when the white race is carving residential districts in their movement for both races, there may be some rule to guide them by which some desirable residential districts may be left for the colored man so that equally with his other colored brethren he may dwell upon a mixed block, if so disposed, or upon an unmixed one. But he cannot do this under the terms of the ordinance if a greater number of white men dwell thereon. It is for the privilege, as an individual citizen, of maintaining his home where he pleases, which urges the colored man to resist segregation of the races in their residences.

Mr. Freund on Police Power, Sec. 491 says:

"If it be a privilege of a citizen of the United States to move freely with in the whole country the power of the State to control the migration and settlement of its own people within its own territory must logically be denied, for the whole country includes the State. But apart from the Federal Constitution the right of each individual to travel about and to choose his residence must be regarded as an essential part of the liberty which every State Constitution guarantees. Experience has shown that government interference with the natural movement of population is unwise, oppressive and futile. There is nothing in modern legislation to parallel the various royal proclamations issued in England toward the end of the sixteenth and beginning of the seventeenth centuries, prohibiting the building of houses in the London suburbs, because with such multitudes many must live by begging or worse means, or directing noblemen, knights and gentlemen having houses in the country to abide there until the end of the summer, and attend to their duties * * * * *. If legitimate purposes do not justify the impairment of the general liberty of migration and settlement measures for the separation of the classes must still be more obnoxious to the Constitution. While the United States Supreme Court has sanctioned compulsory separation of the white and colored persons in public conveyances it has intimated that the assignment of separate residence districts, on the basis of color, creed or nationality would not be tolerated, and it has been held that Chinese persons cannot be compelled to live in one portion of a City."

"The Constitutional guarantee would be of little worth, if the Legislature could without compensation destroy property or its value, deprive the owner of its use, deny him the *right to live in his own house*, or to work at any trade therein * * * *."

In re Jacobs, 98 N. Y. p. 105.

"The word 'Liberty' as used in the Constitution of the United States, and he several States * * means not merely the right to go where one chooses, but * * is deemed to embrace the right of the citizen *to live* and work where he will."

Algeyer v. *Louisiana*, 165 U. S. 578 *Powell* v. *Penn.*, 127 U. S. 678.

While it may be necessary in certain exigencies in the exercise of the police power for the citizen to forfeit his property without compensation for the commonweal, there must be a real and pressing necessity therefor, and, when viewed in this light, the rights gauranteed by the constitutional provisions to the citizen are relative and not absolute, yet, there is, we submit, no power in the legislature to declare that a NUISANCE which is not such. Although there is some sentiment among the white race of the South that as a neighbor, because of his color alone, a Negro is a *nuisance*, that does not make him so in Law or Reason, which is the life of the law.

(See Brief Hon. Moorfield Storey, pp. 12-13-24-25.)

"Nor can a State by designating as 'coercion' conduct which is not such in truth, render criminal any normal and essentially innocent exercise of personal liberty, or of property rights.

Coppage v. Kansas, 236 U. S. 15.

"All persons may maintain homes wherever they wish and any arbitray interference with this right violates the Constitution."

8 Cys. p. 1106.

Third. The housing conditions of the colored race were better before than since segregation.

In the brief of the Hon. H. R. Pollard between pages 63 and 65 are photographs of public institutions, churches and residences of the colored race of Richmond, Virginia. That this Honorable Court may not be erroneously impressed thereby, we beg to submit they were erected in every instance, many years before 1911, the year the segregation ordinance of Richmond, Virginia became effective.

We beg to bring to the attention of this Honorable Court the photographs following, showing the residential sections of the colored people of Richmond, Virginia, before and since segregation, by law.

And following these photographs, will be found the official map of the City of Richmond, Virginia, the dark spaces indicating the residential districts of the colored race and the white spaces the residential districts of the white race, the filling in having been done by W. A. Jordan, Superintendent of the Southern Aid Society of Virginia, Incorporated, a colored man, with knowledge of the districts in the absence of any official knowledge of the segregated ditricts by the City Officials of Richmond, Virginia.

Within this urban area is included 24,383 square miles of territory thickly inhabited.

We respectfully submit that the judgment of the Court of Appeals of the State of Kentucky should be reversed.

ALFRED E. COHEN.
Of Counsel for plaintiff, in case of *Hopkins* v. *City of Richmond*, (117 Va 692.)

SEGREGATION GETS FINAL BLOW

Judge Rose Puts Final Touches on Baltimore Segregation Ordinance by Declaring it Void

The afro American Dec. 8/17

NO HOPE NOW FOR LAW

1917

Attorney McGuinn Argues it is Impossible to Draft Law to Stand the Test

That the recent decision of the United States Supreme Court invalidating the segregation law of Louisville also nullifies the similar law of Baltimore, was the decision handed down by Judge John C. Rose, in the United States District Court, Tuesday.

The decision was in the case of Dr. William T. Coleman, who was charged with moving into the property at 2039 McCulloh street, situated in a white block, following the decision of the highest court in the land.

Dr. Coleman was arrested and haled into the Northwestern Police Court two weeks ago, the local authorities taking the position that the decision abrogating Louisville's law did not affect the Baltimore ordinance. He was held in $300 bail for the action of the Grand Jury. Upon the advice of his counsel, Warner T. McGuinn, he refused to offer bail. Attorney McGuinn then went to the United States District with a petition seeking the release of the physician through habees corpus proceedings. Judge Rose released him on $100 bail pending argument on Tuesday of this week.

When court convened Tuesday, Attorney General Ritchie, City Solicitor S. S. Field and Deputy State's Attorney Roland B. Marchant were there to represent the State, while Attorney McGuinn ably looked after the interests of Dr. Coleman.

FIELD ARGUES FOR LAW

City Solicitor Field made the argument contending that the Supreme Court decision did not affect the Baltimore law. He said that inquiries had been received from Philadelphia, New York, Illinois and St. Louis regarding the Baltimore law and that where congestion occurred among colored people builders were ready to build rows of huses to relieve this condition.

Judge Rose said this was hardly true, as builders have to borrow money in order to carry on their operations, and building houses for colored people might cut off their borrowing capacity, as well as arousing a certain class of prejudiced whites.

The city solicitor contended that the Baltimore law was a reasonable exercise of the police power in that it was designed to prevent friction between the races. He also asked delay on the part of the United States Court so that the decision of the Maryland Court of Appeals could be given in a case pending.

Judge Rose, in commenting upon City Solicitor Field's argument, said the right to buy property involved the right to occupy the same, and that as the colored people had been put to serious economic disadvantage through the operation of the local segregation that it should be incumbent upon the city authorities to provide the means for the proper expansion of the residence districts of corored people. The city has no right, he said, to subject a class of its inhabitants to such disadvantage, if segregation is to be a fixed policy.

McGUINN CITES AUTHORITIES

Attorney McGuinn declared that the United States Supreme Court in handing down its decision used language so general as to include the Baltimore law. In deciding the Louisville case, he argued, considered the whole segregation question.

Taking up the argument of City Solicitor Fields that the Baltimore law is dissimilar to the one that was in force in Louisville, he said that the segregationists of St. Louis, Richmond and Baltimore in asking for leave to present briefs in the argument on the Louisville case, said the laws of their respective cities were similar to the one of the Kentucky city. He turned to City Solicitor Field and read from latter's brief contending that the segregation laws were similar.

Attorney McGuinn then said that the only difference was that the Baltimore law provided that a block must have all colored or white to be regarded as belonging to either race in Baltimore, 75 per cent of one race or the other in St. Louis and 51 per cent each in Louisville and Richmond.

He cited the Supreme Court decision in the Berea College case and similar suits to show that the court ruled that accommodations must be equal.

PLEAS FOR YOUTH

Declaring that it is impossible to draft a segregation ordinance that will pass muster, for the Supreme Court has placed a limit on the exercise of the police power of the State, he said that as colored and white men are ready to go to Europe to fight for democracy that the young colored men going thereto should not think that segregation still prevails at home. Freedom is the slogan of the day, he concluded.

City Solicitor Field then took up some of the points made by Mr. McGuinn, and argued that the Supreme Court did not decide upon the Baltimore law.

While it may not happen in this community, he went on to say, the **whites of other communities have a way of protecting themselves.** He argued for the segregation law as a means of preventing conflict between the races.

ROSE UPHOLDS DECISION

Judge Rose said that the 14th amendment is involved in the exercises of property rights, that while the law in some sections provided for equal and separate accommodations for the races in schools and public conveyances, that "it is beyond the wit of man to devise a segregation law that it would be fair to all." He said the city had no right to establish ghettoes for any class or race, mentioned the fact that colored people had to pay higher rents than whites and declared that holding Dr. Coleman in custody until the Court of Appeals handed down its decision in a pending segregation case would be depriving the physician of his liberty.

He then released Dr. Coleman. The physician and his attorney were then the center of an admiring number of prominent men, among whom was Bishop I. B. Scott.

PROTEST NEGRO INVASION

BALTIMORE MD NEWS
SEPTEMBER 19, 1917

Govans Residents Will Hold Indignation Meeting Tonight.

Blessed Sacrament Hall at Govans will be the scene tonight of a meeting of indignation of all those residents of that section to formulate plans to block the establishment of a negro settlement.

Last week several meetings were held in as many different sections, but nothing was accomplished. The combined meeting tonight is a result of the apparent failure of the smaller meetings.

While the plans of certain real estate men are being kept a secret, it is understood, that a tract of land comprising 19 acres has been purchased of the old Teackle property for a negro colony and the news has thoroughly aroused the residents of this exclusive section, and they are determined to fight against its establishment. Many prominent men of this section will address the meeting tonight.

Segregation – 1917

Baltimore City Solicitor Wants Agitation and Bad Feeling Over Segregation

Baltimore Herald

11/13/17

TO APPEAL DECISION

Fines Imposed Under Old Law

City Solicitor Field received yesterday a copy of the decision of the Supreme Court declaring the segregation ordinance unconstitutional. After reading this he ventured the opinion that, as the lines are not so strictly drawn in the local ordinance as in that turned down, he thought it might be upheld. At any rate he will ask the Court of Appeals to affirm the decision of the lower court so that the case might be sent to the Supreme Court.

The Louisville ordinance differs from the Baltimore law, he said. It simply provides that a white person cannot move into a colored block nor a colored person into a white block. The Baltimore law goes further. It provides for mixed blocks. Where white and colored persons now reside, both races are free to move in. Provision is also made for the development of new territory, and whites and blacks are put on the same footing.

The pending case in the Court of Appeals is that of a colored man named Jackson, who was fined $50 for violating the law.

Laws Continued TO MOVE NEGRO SCHOOLS AFTER FIRE THREATS

East Trenton Residents Want No Portable Buildings in Old Cemetery

SOME PROMISE TO SHARE IN EXPENSE

TRENTON N J TIMES
JULY 26. 1917

Residents of East Trenton have threatened to burn or otherwise destroy and cart away portable schoolhouses should they be located on the site of the old Colored Cemetery for the use of the negro youth of the city. Others have promised the Grounds and Buildings Committee of the School Commission they will finance the expenditures already made in connection with the establishment of these institutions of learning if they are moved to other localities. This being the case the committee is now considering the construction of two portable buildings elsewhere for use of the colored boys and girls.

Within the past six or eight months there has been a great influx of colored people to this city. Their housing generally has been and still is a problem which is being given careful consideration by leading colored residents of Trenton and also by city officials. However, the schooling of the colored youth, being directly up to the School Commission, the Grounds and Buildings Committee after making a survey of the city found that many of the colored people had located in East Trenton. Consequently it was decided to establish schools there for their children.

POPULATION CENTRE.

It was found that probably one-half of the new population of this class had located on Jefferson, Escher, Behm and Hermann Streets, the old Goosetown section, and the other half in Assunpink, Hurley, Cortland and Mulberry Streets and Girard Avenue. Desiring to make provision for the children, the school authorities endeavored to find two lots convenient to these locations for the construction of portable school structures. After considerable work, the committee finally decided upon the site of the old Colored Cemetery, along the Assunpink Creek and between Oak and Hart Avenues. This tract is owned by E. C. Hill and the school authorities entered into an agreement with him to pay $200 a year rental for the land and establish schools there for an experiment. The location having been decided as "central" as possible, the educational authorities believed their troubles along this line were at an end.

The work of removing two portable buildings to the site was commenced some time ago and just then the school committee found that it was all wrong regarding a harmonious solution of the problem.

THREATS TO BURN.

Residents in the vicinity of the old Colored Cemetery became angry. They plainly stated they did not want such a school in that vicinity. They did more. They threatened to either burn the structure or destroy it and cart away the remains. Meetings were held and the matter threshed out from various "slants." Finally a committee of residents of the neighborhood informed the school heads that they positively would not tolerate a colored school in their midst and that, when the buildings were removed, they would try to have a sufficient fund to reimburse the educational authorities for the expenditures made.

At first the school people saw no way out of the difficulty, but after going over the East Trenton district again, are giving consideration to a site on Jefferson and another on Cortland Street. Providing these locations are obtained, the portable buildings will be removed there.

Negroes Tell Wha They Want Here

Meeting at Chamber of Commerce Not Attended B All Invited Whites S That Hearing Was Infor mal

ROME GA TRIBUNE-HERALD
JULY 10, 1917

One hundred or more negro citizens of Rome appeared at the Chamber of Commerce Monday night to present a petition for certain changes in the conditions that govern their daily existence here. A meeting of the directors of the organization had been called, and members of the board of education, city commission and other city officials had been invited. There was no quorum of the directors, and only one city official was present, so that no official action was taken.

However, the white men present listened for an hour to the presentation of the case. The colored people spoke earnestly, at times eloquently and always in a commendable spirit. They were advised to present their claims for various matters to the official bodies governing the city, such as the city commission, the board of education and the library trustees.

A memorial was read by A. T. Atwater, citing various conditions which the negroes think call for improvement. Among those mentioned were that the negro schools are not provided with sewerage, that the schools are crowded and the teachers poorly paid. The memorial stated that the negroes did not ask for the privileges of the Carnegie library but that they did request the city to appropriate sufficient funds so that they might have at least a reading room. It was stated that the colored people regarded the recently enacted segregation ordinance as a "stroke to curtail the progress of the black man."

The petition asked for better treatment from the police, claiming that clubs were sometimes used without provocation and homes searched without warrants. Lack of lights and sewerage in the colored residence district was cited as the final complaint.

The petition was signed by Atwater, R .H. Brooks, G. W. Phillips, B. H. Huggins, M. D. Whatley, R. J. Johnson, H. W. Campbell and Jesse Harbour.

Brief talks were made by several negroes relative to different features of the petition. Dr. Brooks spoke of health and sanitation. He urged a colored district nurse, and sewage for at least the schoolhouses. He said these measures were necessary as much for the health of the white people as for the black, since there were colored servants in practically every white nursery and kitchen.

From SUN
Address: Baltimore, Md.
Date FEB 4 1917

TO AID 90,000 NEGROES

Mayor, After Meeting, Decides To Name Housing Committee.

SUBURBAN COLONY PROPOSED

Parking Of Alleys And Sanitary Campaign Are Among Suggestions At Enthusiastic Conference

STEPS TOWARD BETTER HOUSING.

Mayor Preston was authorized to appoint a committee to work out a plan for more sanitary housing and living conditions for the 90,000 negroes in Baltimore.

The committee will consider the closing and parking of alleys in negro districts and the establishment of settlements in the suburbs or in sections where colonization will not be objectionable.

Dr. John F. Goucher announced that Morgan College planned the purchase or a tract of 50 or 60 acres for a negro settlement, with a new college building as the centre.

Dr. William T. Howard, Jr., Acting Commissioner of Health, presented statistics showing that the death-rate among negroes was nearly 100 per cent. greater than among white people, due to conditions under which they live.

A committee to prepare a plan for bet ter housing and living conditions for th 90,000 negroes in Baltimore will be ap pointed by Mayor Preston today or Mon day as the result of a number of sug gestions made at a largely attended an earnest conference at the City Hall yes terday afternoon.

The necessity for action was urged b the Mayor, Alfred S. Niles, Dr. Wil liam T. Howard, Jr., Acting Commis sioner of Health; Francis M. Jencks the Rev. George A. Griffiths, of Moun Calvary parish; Dr. Henry Barton Ja cobs, Dr. John F. Goucher and Wil liam W. Emmart. Bishop John Gardne Murray indorsed the movement in a short address, and said he could be re lied upon to do his part.

The suggestion as to the best means of meeting the situation ranged from the closing and parking of alleys to the establishment of negro settlements in the suburbs or in other sections where colonization would not be objectionable.

Has Settlement Plan.

Dr. Goucher, who has long been interested in the movement, announced that Morgan College, Fulton and Ed-

DIVISION OF BEHAVIORAL SCIENCE RESEARCH

mondson avenues, had plans for the purchase of a tract of 50 or 60 acres of land for a negro settlement, of which the college would be the centre. The college, he said, would occupy 20 acres, the remainder of the tract to be given over to a colored community scientifically sanitary and with best conditions for housing some 300 families. This, he pointed out, would improve living conditions in the city for at least 20,000 negroes.

Two conditions were necessary for the realization of the plan, Dr. Goucher stated—the approval of thoughtful and courageous men who were really interested in the development of the city, and the finding of men who were willing to recognize that the security for the investment was adequate. He said the college desired to celebrate its fiftieth anniversary "by some striking illustration of its worth to the community."

Mayor States Case.

Opening the conference the Mayor said he had made it a meeting of practically all white people because they were, to a large extent, the owners of the property under consideration.

"At an early date," he stated, "I hope to have a meeting of the colored people, who are also vitally interested in the solution of the problem that is before us.

"The high death rate from communicable diseases jeopardizes not only the lives of the colored people, but also the lives of the white people with whom they are brought into close daily contact. The problem is one which very largely concerns alley property and the owners of alley property. Residences on the wide streets are kept in better and more sanitary condition, and the owners and occupiers are people of more comfortable financial circumstances; but the condition of the houses in the alleys needs careful and thoughtful consideration.

"The municipality itself is doing its share, I think, in clearing up the situation by paving the alleys, purifying the water and in completing house connections with sanitary sewers. I hope this coming summer to have all the private alleys in Baltimore paved. We are doing this now in a wholesale way, and the city forces are also making rapid progress in paving of public alleys. This will greatly improve physical conditions and permit the alleys themselves to be washed and kept in a sanitary condition.

Sanitary Campaign Planned.

"But the condition of the premises themselves is very largely individual and beyond the reach of the municipality or its representatives. The Health Department and the Police Department have some control over this, but their regulations are difficult to enforce. A campaign of sanitary education is being undertaken in the churches and the schools, and I am giving every encouragement and incentive to this that I can contribute.

"There seems to be ample territory in the colored blocks and in the mixed blocks for the expansion to take care of the existing and future colored population, and we should work along practical lines and not attempt impractical ones. Any change in the segregation would meet with very great opposition from our white population and bring about friction and hostility between the races, which would be very much to be deplored. The present segregation law should be thoroughly tried out. The mixed block seems to open a wide opportunity for the expansion of the colored settlement.

"The problem, after all, is akin to the tenement problem, and should be treated with a view to the welfare of the whole community. It is not a question only for the colored race, but a question for our own people to consider thoroughly when it appears that the white people are very largely the owners of the property occupied by the colored people, and the care, cleanliness and sanitation of these premises is largely a problem for the property-owning class to solve."

Physician Gives Statistics.

Dr. Howard stated that the negro population of Baltimore represented numerically 15.2 per cent. of the whole, as compared with 28.66 per cent. in Washington, 5½ per cent. in Philadelphia and about 2 per cent in New York and Boston. In all of these cities, he said, the annual death rate per 1,000 from all causes is much greater in the negro than in the white race. Last year it was 78 per cent. greater in New York, while in Baltimore, with its larger proportional population, the rate was 94½ per cent. higher in the negro than in the white population.

During 1916, Dr. Howard pointed out, the general mortality rate per 1,000 for Baltimore from all causes was 18.3. For white people it was 15.9, and for the negroes 30.9. He gave the following interesting table comparing the white and colored death rates in Baltimore for certain important communicable and noncommunicable diseases:

Disease.	A ratio of:	Pct. inc. for negro race.
Pulmonary tuberculosis	1 to 3.41	240.7
All forms of tuberculosis	1 to 3.61	260.4
Pneumonia, all forms	1 to 2.73	175.4
Syphilis	1 to 8.02	202.4
Influenza	1 to 1.54	53.5
Poliomyelitis	1 to 2.26	126
Whooping cough	1 to 2.57	157
Puerperal septicemia	1 to 2.52	152.2
Diarrhoea and enteritis (under 2 years)	1 to 1.98	98.5
Chronic heart disease	1 to 1.93	93.3
Cerebral hemorrhage	1 to 1.55	53.5
Chronic nephritis	1 to 1.28	27.8
Congenital debility	1 to 1.67	67
Accidents	1 to 1.26	26

No Scarlet Fever Victims.

Dr. Howard showed that not a single death from scarlet fever was reported among the negroes last year. He said the death rate from diphtheria was 36.4 per cent. less in the negroes than in the whites. In typhoid fever the increase in the death rate for the colored race was only 6.7 per cent. "Nearly 40 per cent. of the deaths from tuberculosis in Baltimore city occur in 15 per cent. of the population," Dr. Howard declared.

Asserting that the figures were "startling," he said it was evident that the conditions responsible for them could not be remedied by the Health Department alone. It was evident, he said, that the housing problem is greatly responsible, but contended that house conditions alone would not solve the problem.

"In a large proportion of cases of infectious diseases among negroes satisfactory isolation is now impossible and adequate facilities for hospitalization are lacking," Dr. Howard added. "One of the most difficult aspects of the question is racial susceptibility, or lack of natural resistance among the negroes to certain diseases, which will only be overcome after a long period of time or by the development of new means of preventive inoculation. It seems clear that one of the most important factors concerned in the disease problem in the negro is the adoption of all feasible methods of raising individual resistance.

"Granting fair housing conditions and an income adequate to provide proper food and raiment, there still remains the important question of education in the fundamental principles of health. Of these, diet is one of the most important. This involves, of course, instruction in purchasing, selecting and preparing a balanced ration. In addition, some methods must be developed for widespread instruction in the principles of personal hygiene."

SEGREGATION ANNULLED.

The importance of the decision of the Supreme Court of the United States holding that the Louisville, Ky., segregation ordinance is in direct violation of the Constitution cannot be overestimated. It is the most vital question affecting the rights of the Negro race to "life liberty and the pursuit of happiness" since the Oklahoma suffrage case in which the infamous "Grandfather law" was annulled. It is of far more wide reaching effect than the former decision, in that the "Grandfather law" was but a feeble subterfuge, of local adaptation and limited extent. The segregation movement was of wider scope, and if its validity had been established, there was no limit to the evils following its propagation.

In the opinion rendered by Justice Day, a curb is put upon the police power of the State, so often invoked for the purpose of committing injustice and perpetuating wrong under the sanctity of the law. This power, broad as it is, says the Court, cannot justify the passage of a law or ordinance which runs counter to the limitations of the Federal Constitution. It is most gratifying to find the limits of the Constitution defined in this way. Hitherto these limits have been defined in such a way as allow the power of the State full sway in controlling the lives and property of its citizens.

The Court further lays down the broad proposition that the solution of the problem of race relationship cannot be promoted by depriving citizens of their constitutional rights and privileges. This proposition is broad enough to confirm the Negro in all of the rights and privileges of which the race has been deprived under the form of law, if carried out to its logical sequence. But it is qualified in the present decision, to apply to the civil rights of a white man to dispose of his property to a person of color and of a colored person to make such disposition to a white person. Property is the basis upon which this decision is rendered. But the right to hold and dispose of property, to enjoy its undisturbed possession, is one of the inherent rights of citizenship, and it is no mean step gained to have this right confirmed by the highest authority in the land.

The Negro has always had faith in the Constitution, and though this faith has been sorely tried at times when the Constitution has been invoked vainly in his favor, he still continued to put his faith in it. This decision will renew that faith. It proves that the instrument devised by the Fathers of the Republic has not yet become "a scrap of paper," but can still exert a vital, living influence for the maintenance of right and the annullment of wrong.

What is needed is the right interpretation and rigid enforcement of the Constitution. The Supreme Court, as at present constituted, seems inclined to give that interpretation and enforcement.

The decision of the Supreme Court is a great victory for the Negro and for democracy.

HOME OWNERS AGAIN ROUSED BY NEGRO FLOOD

Suspect Organized Effort to Bring Blacks Into Neighborhood.

CHICAGO DAILY TRIBUNE
JULY 14, 1917

Home owners west of Kenwood are perturbed because of what appears to be an organized movement to encourage Negro tenants in the neighborhood.

A sprinkling of Negro families had moved into the neighborhood in past years, but it is only within the last few years that the blacks have been moving into the neighborhood in numbers.

White Tenants Leave.

Matters were brought to a sharp issue again last week when the last of the white tenants of the building at 546 East Forty-fourth place moved out and a sign appeared on the door stating that the premises were for rent to Negro people.

Yesterday workmen were busy remodeling the building. It is said one of the apartments has already been rented to a family of blacks.

The building was sold recently to Gregory T. Van Meter of the Chicago Real Estate Loan and Trust company, who, it is said, is acting as agent for former State Senator George F. Harding, president of the loan company.

Mr. Harding denied that he or his firm owned the property. He said his firm acted as agent in renting the premises, but declared he did not know, offhand, who the owner was.

"Isn't Mr. Van Meter of your firm the owner of title of the property?" he was asked.

"Is he?" asked Mr. Harding.

In the street bounded on the east by St. Lawrence and on the west by Vincennes avenue there has hitherto resided but one Negro family. This family, property owners say, has lived there for over fifteen years, and there was no general feeling against it.

In the "Black Belt."

But recently a property owner, endeavoring to borrow money on his home in the section, was told that it was not good business to lend on property in the "black belt." He reported the incident to neighbors and an impromptu property owners' association was formed.

Three-fourths of the families in the neighborhood are owners of the homes they live in. They began an investigation, which showed dozens of Negro families had moved into the neighborhood within the last few months.

Segregation – 1917

MAYOR JOHN J. MULLEN, OF EVERETT

Who has Done the Greatest Present Benefit that can be done for Colored race in North by preventing "Birth of a Nation"—Sets example every Northern Mayor should emulate.

RESIDENCE SEGREGATION IN SUPREME COURT

LOUISVILLE SEGREGATION CASE ARGUED AND SUBMITTED TO SUPREME TRIBUNAL — JUST CASE—SOUTH SAYS SEGREGATION BEST—WHOLE NATION —INTERESTED CHIEF JUSTICE GIVES STORY—CITY SOLICITOR FIELD, OF BALTIMORE, GOES TO HEAR PLEAS ON LOUISVILLE ORDINANCE.

Washington, April 27, 1917.—The (Baltimore Sun Report.)

segregation ordinance of Louisville, Baltimore, Richmond, St. Louis and other cities were submitted to the Supreme Court today to determine their validity when City Attorney Pendleton Beckley, of Louisville, concluded his argument upholding the right of his municipality to separate the races in the residential sections of cities. Guardian. 5/5/17.

Mr. Beckley contended that the segregation ordinances are "common sence, ways of settling one of the greatert problems of civilization.

Louisville Taken as Test Case for Nation.

The Louisville law, which was carried into the Supreme Court as a test case for all such ordinances, is patterned after the Baltimore ordinance. The case has assumed a national importance, and in deciding it the court will be compelled to go into the heart of the Negro problem of America.

Baltimore is affected so vitally that City Solicitor S. S. Field, of that city, came to Washington to hear the arguments. He filed a brief in the case some time ago.

Moorfield Storey, of Boston, president of the National Association for the Advancement of the Colored People, and one of the leading champions of the race, argued against the validity of the ordinance.

Incompatibility of Races the Basis—Segregation Cause Stated—Incompatability of Races the Basis—Need to be Separated Says South.

"The ordinance, in fact, does not segregate," said Mr. Beckley. "It only separates. It moves no one. Where the Negro now is, he can remain until the end of time, if he so desires. It protects the home of the white—the home of the Negro from an invasion by undesirable whites: the home of the white from invasion by the undesirable Negro. It prevents racial feud and violence. It is a voice for that which is best in our civilization, pleading for the purity of both races and the ending of antagonism between them by the creation of a definite social status in our crowded cities under which these two races can live in harmony."

"Baltimore and Richmond have had such ordinances in force for six years," said Mr. Beckley. "The one involved in this case has been enforced in the city of Louisville for three years. City Solicitor Field, of Baltimore, and City Attorney Pollard of Richmond, have filed briefs in the case. In neither of these cities have the dire and calamitous results so freely predicted by counsel for the plaintiff in their briefs come to pass.

"Colored Prepare Separation."

"In those cities, as in Louisville, the great majority of self-respecting Negroes prefer to live my themselves; the great majority of whites prefer to live by themselves; so, after all, only a small part of both races is directly affected. And it not this the class in both races which i is the duty of the state under the police uower to separate?

Separation of Races a "Protection o the Home" says South.

"The home surely has a right t protection under the law, even be fore the school, where we separat the races."

Discrimination Alleged by Storey.

The chief argument of Mr. Store was that the law was a clear dis crimination against the Negro wh desired to advance his own positio and the level of his race, and tha this case, where a Negro propert owner was unable to occupy his prop erty, was a violation of the property rights guaranteed under the Constitution. Guardian. 5/5/17.

Chief Justice White by Question Seems to Show Southern Bias.

Chief Justice White, in questioning Mr. Storey, asked if he did not be-

Chief Justice White, in questioning Mr. Storey, asked if he did not believe it to be the power of a Legislature to so prescribe police powers to regulate the development and peace of a community.

Storey's Logical Reply—As Well Separate Jews and Gentiles—As to Sidewalks.

Mr. Storey replied that no Legislature ha the right to prevent a member of any race from eveloping or avancing its own welfare an morals. He argued that it would be just as well for the law to undertake to say that Jews and Gentiles, Protestants and Catholics should live on different city blocks or walk on different sides of the street.

THE SUPREME COURT DECISIONS

The Supreme Court of the United States, in a unanimous decision, the opinion being handed down by Mr. Justice Day has announced that the segregation laws as passed and operative in St. Louis, Mo., Richmond, Va. Baltimore, Md., Atlanta, Ga., Raleigh N. C., and many other cities are unconstitutional. As we have repeatedly pointed cut, we could not see and we could not understand how it could reach any other conclusion. It signifies that the august tribunal has concluded to observe the bedrock principles of the Republic and that racial discriminations and social ostracisms have run their course in this country of ours.

All of these expedients for the benefit of the individual rather than for the advancement of the public have failed. We do not know anything that will have a greater tendency to restore the confidence of the colored people in the integrity of the courts and the sense of fair play in the nation. The action of the Supreme Court will win the cordial approval of thousands of white people, who have been more injured by the confiscatory nature and operation of the segregation laws than have the colored people, who were intended primarily to be its victims.

If our people will be conservative and not attempt to take undue advantage of this decree, but will go forward only as the necessity of conditions demands the result will be highly beneficial and other vital decisions will be handed down that will tend to relieve the strain and give us all of our rights and privileges under the law. Colored people in the South and have never intruded upon their white neighbors, but have suffered themselves to drift along and occupy houses that had been vouchsafed to them by white owners, who had chosen other parts of a city for their residences.

We should realize that we must get along in peace and harmony with the white folks and a reciprocal relationship permeated with good feeling will materially help and benefit all of us. We conclude with the remark, God bless the Supreme Court of the United States, Republicans and Democrats, Jew and Gentile. We have always believed that God in his own time would make the crooked ways straight and have meted to Ethiopia that justice, for which she has so many years prayed.

THE NEWS-LEADER'S COMMENT.

The Richmond, Va., News Leader in discussing the segregation case says:

Richmond had little race trouble before it adopted the segregation ordinance and it will know how to protect itself if our ordinance like that of Louisville, be declared unconstitutional. Our chief danger, in fact, lies not in the overthrow of the ordinance but in the misinterpretation of the Supreme court's action by the radical element of our Negro population.

We agree with our esteemed contemporary if it will also add:

Our chief danger, in fact, lies not in the overthrow of the ordinance but in a misinterpretation of the Supreme court's action by the radical element of our white population.

It continues:

We have in Richmond, fortunately, sensible Negro leaders who will understand that an ordinance, not a system has been upset, and that what the city may not be able to do by formal enactment it will be able, justly and fairly, to do by other means. Recognizing basic existing conditions as necessary, these N groes will restrain those who may be tempted to view the action of the court as a great race victory.

We repeat the same language with a slight change of the wording. "We have in Richmond, fortunately sensible white leaders who will understand that an ordinance, not a system, has been upset, and that what the city may not be able to do by formal enactment it will be able justly and fairly to do by other means Recognizing basic existing conditions as necessary, these white people will restrain those who may be tempted to view the action of the court as being a great race victory for the colored

people.

The News Leader says further:

(Race segregation is a fixed principle in the South. It rests not upon prejudice but upon a correct understanding of our peculiar problems. Being racial, it will persist and will triumph. In so far as it relates to the separation of the races in trains and street cars, it is well established at law, was vindicated in yesterday's opinion and is recognized by our Negroes.

We cannot agree with our distinguished and able contemporary when it declares that race segregation does not have for its basic cornerstone race prejudice. We cannot agree either when he says that racial segregation will persist and triumph. We believe that segregation upon a basis of class and condition will persist and triumph, but not otherwise. History in all ages goes to prove that caste or race prejudice is temporary, existing in one section of the world during one decade or cycle of years and in another section during another.

We are witnessing a change in Russia, and another in Great Britain and another in Turkey and still another in Germany. It is emphasized in China. We concede that the News Leader is correct in its conclusion when it says.

In so far as it relates to residential segregation, this principle can be maintained by custom, if not by law, and under conditions which should and will give our Negroes more adequate and less congested living quarters.

Because race segregation is a fixed principle does not imply that it is a fixed right principle. We do not expect to see any material change over the old order of things, existent before the segregation ordinance went into effect. The better class of colored people do not desire to live in the midst of the better class of white people or the other class either. The social surroundings are not congenial and for that reason they prefer to live and mate with their own color. The curse of the South-land has been the amalgamation, the miscegenation of the races.

Separate residence on separate blocks in a city do not cure the evil. We are so mixed up now that we can not tell "which from tother.' This occurred before segregation ordinances were even suggested. White females are living in the same residences with colored males, and colored females are living in the same residences with white males, the colored folks, being of course in the capacity of servants. So far as the prevention of the mixing of the races, the segregation plan is a joke. We pray God that white Virginians of the type of the distinguished editor of the News Leader will "cry aloud and spare not," to the end that this species of humbuggery may end forever more.

THE PEOPLE'S LETTER BOX

TOPICS DISCUSSED BY READERS OF THE AMERICAN.

SEGREGATION LAW PROTEST

Arguments to Show That It Is Not Only Unconstitutional, but That It Has Worked Great Wrong to Colored People—A Reply to Statements Made by the City Solicitor. Causes of Bad Housing Conditions Now Under Investigation.

Letters designed for publication in this column must be indorsed with the name and address of the writer.
Anonymous communications will not be considered.
When the writer so prefers his name will not be published.
Letters should not exceed 500 words.
Subjects leading to religious controversies should be avoided.
Letters not available will be returned only when a stamp for this purpose is inclosed.

AMERICAN Baltimore. Md.
MAR 19 1917

To the Editor: In The American of the 10th inst. Solicitor Field is reported as saying that the segregation law had not resulted in any way to the disadvantage of the colored people, that colored people had begun to develop nice colored neighborhoods in which they took pride; that parts of Druid Hill avenue and other streets have become a sort of aristocratic section and the ordinance has not driven them into the slums and alleys.

We regret that the City Solicitor should ever be so far in error as he is there. May we remind him that his major premises is uttterly false, and that his reasoning is fallacious. He may be familiar with the law, but he is woefully ignorant of logic. Our position flatly contradicts his. We hold:

1. That it is a question of constitutional rights as violated by class legislation enacted into the form of an ordinance only by the tyranny of the majority and in utter disregard of reasonable protest.

2. That colored people have fought the law and had enactments of similar character declared null and void in our courts.

3. That the colored people in his so-called aristocratic section do not ask charity or pity for themselves or the oppressed colored people, but justice and fairness under the law.

4. The segregation law did not give us the good property we have. We had much of it before the law was enacted, and we got the rest in spite of its puerile efforts to prevent it. Its spirit is to prevent our getting good homes where we could buy.

5. Segregation reduced the housing accommodation for colored people and confined them to the most dilapidated districts in the city, where they pay twice as much rental as former white occupants paid. This enriches certain people at the expense of the poor, ignorant colored people.

6. The low wages paid for service keep these people on the margin of an existence wage, and in order to meet the double rent charge with a half-wage income they have doubled up in these wretched houses—in some cases two families of from four to six members live in a small four-room house. Economic laws force this upon these ignorant colored people and moral conditions are destroyed.

7. Our city government, perhaps, conscience-stricken, is now seeking a remedy, but not in a way that merits confidence. We believe it is a fear that the Supreme Court will hold that the law is not only unconstitutional but harmful, and the sponsors for this medieval and despicable enactment are running to cover, and well they may do so.

8. Our city puts itself half a century behind the time in this proscriptive social legislation. Do you wonder that socialism makes such headway? It is a program of justice and humanity and not of discrimination and injustice paraded under the guise of segregation. The follies of governments are the strength of socialism.

9. Why does Solicitor Field not discuss those conditions which the Mayor's committee on housing conditions has been appointed to investigate? Does he hope to hide them from the court? We charge those conditions to segregation.

10. The ordinance is not satisfactory or fair. It is not enforced against white people because they will not prosecute themselves and colored people will not give sanction to a bad law by dignifying it with a prosecution of anyone.

JAMES [illegible] DIGGS.

TIMES DISPATCH
Richmond, Va.

Fight on Segregation a Mistake

OUR colored friends are making a serious mistake in continuing their fight against Richmond's segregation ordinances. Residents of Richmond take a just and honest pride in the well-known fact that in no community in this country are relations between the races on so sound and friendly a basis. This is largely due to the complete realization on both sides that there are two races, and that all the Supreme Courts of the world cannot unite them. On this foundation, mutual consideration, kindliness and respect have steadily grown.

If by any chance our ordinances should be declared invalid, what would it profit the colored people? They would gain the empty satisfaction of a legal victory and certain legal rights, but they would arouse animosity which would lead to conflict. And that conflict would inevitably cost the colored people far more than a judicial decision could ever win for them. The segregation ordinances assure conditions which were better let alone!

COLORED WOMAN BUYS SOUTH NORWOOD HOME; PROTEST BY RESIDENTS

[illegible] TRIBUNE
[illegible]

Residents in the neighborhood of Ida avenue, South Norwood, are peeved; in fact, they are highly indignant. Until several days ago the peaceful serenity of the neighborhood had not been disturbed by an untoward circumstance for lo these many years. Now there is much excitement in this particular section of the Cincinnati suburb. Meetings are being held in protest.

The trouble started early in the week, when the eight-room residence of Gus Lasance, 2529 Ida avenue, was sold to Rose Ella Hall, a negro woman. When this became known a delegation of fifteen citizens met at the home of Harry Greenup, where a confab was held and a Committee on Ways and Means formed, that would have for its purpose the solution of the question: "How is the situation to be dealt with." Tuesday night the proportions of the first night's meeting had swelled, and about seventy-five citizens called upon the negro woman.

Thursday night another meeting will be held, at which Edward Tepe, a Cincinnati lawyer, will give his advise as to what can be done in the matter.

SIX MEN AND THREE CORPORATIONS INDICTED FOR CONSPIRACY TO DEFRAUD THE GOVERNMENT

CONTRACT CONSPIRACY.

(International News Service.)

New York, Dec. 4.—Accused of having conspired to defraud the United States Government of hundreds of thousands of dollars on contracts for supplying campaign hats to the Army, six men and three large corporations were indicted by the Federal grand jury here today. The indictments assert that since June, 1916, the hats delivered to the Quartermaster's Corps of the Army at Eastern posts have failed to comply with government specifications, and were of inferior quality. The indictments were against Thom & Bayley, of New York city; the Peekskill Hat Manufacturing Company, of Peekskill, New York; the H. D. Parmelee Company, of Newark, N. J.; William B. Thom, president of Thom & Bayley; John J. Slattery, second vice-president of Thom & Bayley; Joseph Ives, treasurer of the Peekskill Company; Edward Slattery, foreman of the Peepskill concern, and two Army inspectors, whose names have not been announced.

Segregation - 1917

Judge Rose Dismisses Segregation Case

The Daily Herald, Dec. 5, 1917

DR. WM. T. COLEMAN DISCHARGED

NEGROES OF BALTIMORE FREED FROM SLAVERY OF RESIDENTIAL RACE WALLS

"I can be guided by no other than the decision of the Supreme Court, declaring race segregation unconstitutional, and all United States Courts are bound by the opinion of the superior tribune." With this review of the habeas corpus segregation case before him this morning, in the United States Court, Judge Rose declared in substance the local segregation ordinance invalid.

The case was that of Dr. William B. Coleman, 2039 McCulloh street, who had been recently arrested for alleged violation of the segregation law, and who sought to be released on a writ of habeas corpus sued out by his counsel, Warner T. McGuinn, before Judge Rose. The hearing was postponed from last week, giving City Solicitor Field an opportunity to be present the city's side of the matter.

Fields, in his usual foxy manner, cleverly attempted to have the hearing dismissed at the offset, giving as his reason that the case of State vs. Jackson was to be argued before the Court of Appeals in January, and that would decide the status of segregation in Maryland but Judge Rose declared that this was the time to settle the matter before any further injustice was done to the colored people.

Mr. McGuinn talked one-half an hour, saying that Dr. Coleman's arrest was a violation of the Constitution, contrary to the recent opinion of the Supreme Court, and deprivation of the property rights of all peoples without the due process of law. On the other hand, Field wrangled a couple of hours, his chief argument being that the local law differed from the Louisville ordinance.

Fields stated after the hearing that he would take an appeal to the Supreme Court.

RACE SEGREGATION ORDINANCE UPHELD BY SUPREME COURT

The city race segregation ordinance, providing that no negro shall occupy a residence in a block where white residents are in the majority, was yesterday upheld as constitutional by the Georgia supreme court in the case of Frank Hardin vs. the City of Atlanta.

Hardin, a negro, moved into a house at Mozley and Linden streets, and when oerdred to vacate, filed a petition to enjoin the city from removing him on the grounds that the ordinance was unconstitutional.

The supreme court held that it was constitutional, with Judge Samuel C. Atkinson dissenting, on the ground that the ordinance was founded on racial distinction, which the constitution prohibits.

A former segregation ordinance was declared unconstitutional by the supreme court. The present one was fashioned after the Louisville ordinance, which has been upheld by the supreme court of Kentucky.

EVERETT MAYOR STOPS "BIRTH OF A NATION"

Re-Segregation 12-28-17

Board of Censors Recant, Mayor John S. Mullen Orders Private Performance Before Censors and Colored Committee—When Censors Favor Cutting Play Mayor Refuses Bribe Talk of Owner of Play and Orders Owner of Theatre Not to Show Play Which Encourages Color Prejudice.

RICHMOND SEGREGATION DEAD FOR RESIDENCE

CITY ATTORNEY ANNOUNCES ALL CASES PENDING IN COURTS WOULD BE DISMISSED BECAUSE OF RULIN GOF U. S. SUPREME COURT IN WARLEY CASE.

Richmond, Va., Dec. 22, 1917—The city officials of Richmond have decided to put an end to segregation.

Assistant City Attorney George Anderson announced on December 1: that all segregation cases pending in the Richmond courts would be dismissed because of the recent decision of the United States Supreme Court

Asst. Coach of the Boston College football team.

Mayor Mullen demanded that the entire film be shown and Mr. Tarby at the end refused to accept any eliminations and wanted no play at all, if any, let it all be shown.

Tries Bribe on Mayor.

Mayor Mullen gave the censors time to reflect and as they would not prevent it he himself ordered the play stopped, although meantime the owner tried to get his endorsement to advertise the play with over the state and the mayor stood for "the square deal." He even asked the mayor "what he wanted." We publish herewith the Mayor's splendid letter and urge these loyal Colored citizens of Everett to fight the play when the new mayor comes in.

—G—

MAYOR OF EVERETT'S LETTER REFUSING TO PERMIT "BIRTH OF A NATION."

Everett, Mass., Dec. 24, 1917.

Mr. Nathan Brown,
Manager of the Broadway Theatre,
Everett, Mass.

Dear Sir:

After considering the picture "The Birth of a Nation," which you want to place on the curtain in your theatre, I find that it does not meet with my approval.

I made a declaration to the people of Everett that all people, regardless of race, color, or creed, shall get an honorabe deal. This picture reflects in my judgement, on one class of people, namely the Negro, and I as Mayor of the City of Everett feel it is my duty to give these people an honorable deal. This I can not see in the above named picture; it encourages prejudice against the Colored people of this city, and I believe it is our duty to uplift these people rather than to drag them back to the days of two generations ago.

You already know that a great protest has been made against this picture, therefore, it is utterly impossible for it to meet with my approval, and I ask you to cancel the same.

I am sorry to be compelled to do this because I have the highest respect for you.

Yours truly,
JAMES H. MULLEN,
Mayor.

Last week the Guardian announced that Mayor J. J. Mullen of Everett had forbidden the "Birth of a Nation." But the censors were won over to the play later. So Mayor Mullen ordered that he see the play on Sunday privately, before himself and the censors and a committee of Colored citizens headed by Mr. Wm. A. Tarbey.

Messrs. Henry Johnson, Walter Killoran, and James F. O'Connor, are the members of the Censor Board of Everett who approved of the picture "The Birth of a Nation" with a few eliminations. The committee, who represented the Colored population of Everett were Griffin L. Tucker, Harry W. Powers, Rev. Joseph P. Washington of the Zion Baptist church, William F. Barry, Milton Snowden, William Tarby, and Edward Morrison.

LOTS WHITE MEN BUY DOUBLED IN PRICE TO NEGROES

POST DISPATCH
St. Louis, Mo.
JAN 3 - 1917

Realty Company Engages to Resell Sites in New South Kinloch Park Subdvision.

WANTS NEGOTIABLE NOTES

Unable to Use Negro Purchasers' Paper as Collateral—Company Officers Explain Plan.

While segregation of negroes in St. Louis is restrained by a temporary injunction in the United States District Court and the question is pending in the United States Supreme Court, it is being exploited in St. Louis County by a real estate company which is selling lots to negroes in South Kinloch Park at double the price quoted to white investors.

The Olive Street Terrace Realty Co is selling 25-foot lots in the subdivision at an average of $150 to white persons and reselling them at an average of $30 to negroes, and is doing so well it has just moved from the Merchants-Laclede Building to larger quarters in the Boatmen's Bank Building.

Negro Subdivision Laid Out.

The company first placed on the market the Kinloch Park subdivision. Negroes applied for lots there, but the restrictions prevented sales being made to them. That suggested, officers of the company say, the plan of laying out a subdivision exclusively for negroes. Property adjoining the Kinloch Park subdivision, restricted to whites, was purchased, and South Kinloch Park subdivision, restricted to negroes, was put on the market.

Negroes bought readily on the terms of $5 down and $5 a month, but difficulty was encountered when the company wished to use the negroes' notes as collateral for bank loans. To get around that difficulty the plan of selling to whites and reselling to negroes was adopted.

This plan, as explained by officers of the company, is to sell a lot or group of lots to a white person, who makes a small cash payment and gives a note to cover deferred payments at $2.50 per month on each lot.

White Men's Notes as Collateral.

The notes of the white purchasers are accepted as collateral at the bank and are discounted by the company, which then undertakes to resell the lots at double the price, charging 10 per cent for its services. If a resale is made the white investor receives monthly payments from the negroes in double the amount of the white person's payments.

After a salesman of the company had informed a prospective investor that 165 lots had been sold to whites since the double sale plan was adopted last August and that 140 lots still were to be sold, President W. C. Ferris was seen by a Post-Dispatch reporter. He said that 800 lots had been sold under the plan and the company had only 20 more to sell. He said between 700 and 800 were sold to negroes before the double sale plan was adopted.

South Kinloch Park is three miles northwest of the city limits and is a short distance northwest of Ramona Park and west of Ferguson, and is reached by the Ferguson and Florissant car lines. The company expects to get possession of a large tract which is bounded on three sides by the negro subdivision.

"Rich Neighbors, Golf Clubs."

DIVISION OF BEHAVIORAL SCIENCE RESEARCH REEL 7

Among the attractions of South Kinoch Park mentioned in the literature of the company are Lix Park, a magnificent amusement park, an aviation field, golf clubs near at hand and the fact that "some of the wealthiest people of St. Louis live in this section."

President Ferris, in response to the reporter's inquiry, said that more than 100 homes have been built in the subdivision, ranging from shacks to residences costing $2500, and there are three frame churches and a brick schoolhouse. He explained that while reselling to negroes at double the price charged to whites might seem like making big profits, it might be several years before resales are made and after the resale it would take the negroes seven years to pay. He said that so far 20 per cent of the lots sold to white persons have been resold to negroes. The prices quoted to negroes, he said, are from $175 to $400, and to whites the prices are just half. He declared that the company would not sell a lot to a negro, even for cash, at the price quoted to white investors. The reason, he said, is that the company wanted to protect the white investors, who were looked upon practically as stockholders.

Sales Manager's Circular.

C. C. Wilmore, sales manager of the company, is sending out a circular which is in part as follows: "I just want to show you how to make more money. You've been successful—you are making money—you want to make more—that's why you are working. Did you ever figure how long it will take you to save $50,000? Even if a man saves $1000 a year it would take 50 years. That's too long. Yet some men accumulate $50,000 by middle age. How do they do it? By making profitable investments. Of course, a man might gamble on the stock maarket, and win, but the trouble about that is, he might lose his money. You want an investment where you can't lose anything—where you have a good prospect of making 50 per cent or 100 per cent. In the 12 years we have been in the land business we never knew of such an opportunity as we can offer you right now. Invest $50. Make $500."

No Obligation to Resell.

The company does not obligate itself to resell the lots, but acts as the agent of the purchaser in an effort to resell, placing at his disposal its salesmen, who are said by the company to be experts in dealing with negroes.

The company is incorporated in Arkansas and is licensed to do business in St. Louis. It has promoted a number of suburban subdivisions.

COLORED COLONIES.

The colored people have justly complained of the attempts of the whites in many communities to "colonize" them—to segregate them in certain parts of the town, in theatres and at public gatherings. Of course, the colored people object to this; it is an insult; it is unjust. Whatever colonizing there is should be voluntary on the part of the colonist.

However, there is an aspect of the subject of colonizing that we must not overlook. The colored colony is not a bad thing of itself. There is no intrinsic reason why it is not a good thing, why it may not be the best thing.

Twenty years ago there was little or none of the so-called colonizing in Washington. Everywhere humble colored homes were to be seen alongside palatial residences of the whites. Yet in that period it was no easy thing for a refined colored family to rent a modern house at a reasonable price.

Note the change in the last five or ten years. As colored people gradually controlled more money and took on more refinement, they began to buy good houses wherever they could get them. The white householder does not, as a rule, wish to be a next-door neighbor to a colored one who puts on the same style as he. A result was that numerous white home owners abandoned their good houses, rented or sold them to colored people and moved into the suburbs of the far northwest. Entire sections formerly occupied by white people were abandoned in this manner—notably Ledroit Park. These same sections became colored colonies. There are no more orderly sections in the city than these self-same colored colonies and the surroundings are usually refined.

A noteworthy fact in this connection is that homes in these sections could be, and still can be, bought cheap—far below their former market value. We have heard of instances where those values shrunk nearly one-half. Many such houses can now be bought at the reduced price.

However, now and then we note instances where a colored buyer strains his resources to buy a house at a fancy figure in an exclusively white neighborhood. Very much do we question the wisdom of this. It is one thing for a man to exercise his natural and legal right; it is another thing to perpetrate a financial folly.

No man should contemplate paying for house rent over about one-quarter or one-third his total income. A man who buys and lives in his own house pays rent. The writer was told by a Londoner some twenty years ago that in England people paid only about ten per cent of their incomes for rent.

In figuring the cost of rent a home-buyer should charge himself with about ten per cent of the cost price for interest on the cash payment, the mortgage, taxes, repairs, fire risk, and general depreciation. Hence, a man who buys a $6,000 home on time pays about $600 a year for rent, which is $50 a month. Unless his total net annual income is about $2,400 he ought not to pay so much. It would be more sensible first to buy a $3,000 home.

The difference between $6,000 and $3,000 represents the difference between a good house in a fashionable white neighborhood and a good house in a colored colony.

We advise our folks to go slow in the contracting to buy expensive houses. Better crawl first and then walk. Do not pay excessive rent. If you have any surplus income, more than enough to buy your home, invest it in a small tenement house and rent that house out.

Do not try to run away from the colored colonies in Washington. They have proved a blessing to many of our people.

SEGREGATIONAL ORDINANCE ILLEGAL

The joy in Bunkville when home run Casey came to bat in the final inning of a famous game with the bases loaded, is nothing compared with the rejoicing in Baltimore, Richmond, St. Louis and several other Southern towns over the outcome of the Louisville Segregation decision handed down by the Supreme Court last Tuesday. Once before when the hopes of many fair minded people had expected that the city segregation law would be given its death blow by the highest court of the land, the Supreme Court threw out the case on a technicality. But this time it was different. The good work of the National Association for the Advancement of Colored People supported by popular contributions has borne fruit. Moorefield Storey, white, president of the association, who gave his services without payment, avoided the mistakes of his predecessor, and in his splendid fight before the Court, set forth arguments on this case which will stand as long as human rights are in jeopardy. By a unamous vote the Supreme Court declared the Louisville Segregation Ordinance and incidently like ordinances in several other cities unconstitutional.

Such joy as this decision brings however is not unrestrained. Justice Day's opinion in 1917, to the effect that colored men can not legally be deprived of their constitutional rights and privileges, is a great step forward from the Dred Scott decision of Chief Justice Taney in 1856, to the effect that the Negro had no rights that the white man is bound to respect. Between these two dates lie the civil war and the amendments to the constitution making the colored man a citizen of the republic. Between these two dates, too, the Negro has made unprecedented mental moral, spiritual, and material strides toward measuring up to the requirement of American citizenship. That such an act as the Louisville Segregation Ordinance could come before the Supreme Court for adjudication, indicates the reaction that has sprung up in some quarters of the country against the spirit of the men who wrote and adopted the 14th amendment. The spirit of the people who oppose the removal of Morgan College to Lauraville, and the attitude of the people who kept the Y. M. C. A. from utilizing its property purchased on Dolphin street are facts which we in Baltimore will have to face the rest of this year as well as last year.

In handing down his decision, Mr. Justice Day took account of the feeling of hostility between the races, which the law is powerless to control, but which nevertheless must be reckoned with. He admitted that this feeling had been taken into consideration by the Supreme Court previously in passing upon the constitutionality of the Jim Crow Car law. The court felt that residential segregation laws went "a little too far," and exceeded the retraints of the constitution.

This is something. Atlanta Georgia's dream of a park thru the city separating white and colored citizens, as well as Baltimore's more modest ordinance maintaining the status quo with one blow become dead letters.

Not that the decree of the court means the depopulation of Northwest Baltimore, of the colored sections of Nashville, Louisville and the other cities, and wholesale influx into the residential sections previously closed to him. To the contrary, colored people like Germans, Jews and other nationalities are going to prefer to live for the most part together in one section or in several sectons of cities. It does mean that colored folk will not be restricted to these sections, that they may hold property where they please, and live in any property that they own.

This opinion of the unconstitutionality of the Segregation laws let us repeat is something. Let us hope it is but the forerunner of the future decree which shall declare all discrimination between citizens as contrary to the principles of a free democracy as set down in our constitutions and its amendments.

CANNOT HOLD SERVICE IN WHITE VICINITY

Southern Whites Arrest Colored Man For Having Religous Meeting in White Block

INDIANAPOLIS IND. TIMES
NOVEMBER 10. 1917
[Special to The Ledger.]

BALTIMORE, M. D., Nov. 5.—The neighborhood in the vicinity of Schroeder and Baltimore streets was largely represented in the Western Police Court last week when Raymond Larvine, a real estate dealer, 904 West Baltimore street, and Amos Anderson, colored, 760 West Saratoga street, were arraigned in connection with the holding of religious services in the dwelling at 21 North Schroeder street.

The colored man was charged with holding such meetings in a block inhabited only by white persons and Larvine was accused of renting the house to Anderson. Both gave personal bond for appearance in court.

Segregation—1917

NEGRO PRESS ON "SUPREME COURT" DECISION

The importance and far-reaching effect of the decision of the United States Supreme Court in declaring the Louisville segregation ordinance unconstitutional has not been underestimated by the Negro press of the country, which is enthusiastic over the big legal victory just won. As the result of the decision Negro editors are inclined to be more optimistic as to the treatment to be accorded the Negro in the future.

Some of the editorial comment follows:

Indianapolis (Ind.) Freeman.

The Negroes have won their fight as far as it is possiblee to be won at this time. We say this advisedly, cautiously, having in mind the statement that "There exists a serious situation, which, however, the law is powerless to remedy.' This may mean that there may yet continue an elusive system of segregation or discrimination which will refuse to yield to the mandates of courts. However, as the matter stands on the surface a great victory has been won and as said above, not unexpected because things are conspiring generally to give the Negroes a better civil rating. Segregation as it is now done by ordinance is defeated, and we think that whatever possible thing that may take to keep it up will be weak, falling of its own weight. The weakened sentiment in favor of the movement owing to the righteous decision of the court will weaken, grow and perhaps for all time, insuring the passing of legislation which tends to divide the people into hostile classes.

Chicago (Ill.) Defender.

An attempt at framing such an ordinance was suggested at a meeting of white real estate dealers in Chicago a short time ago, but it met with such righteous opposition that the idea was abandoned. Monday's decision will lay at rest for all time these disgusting attempts to "kaiserize" the progressive, property-owning members of the Race, and will lend added zest to the millions of our people who are ready to aid and even die for this country in the present great struggle for true democracy.

Baltimore (Md.) Afro-American.

This opinion of the unconstitutionality of the segregation laws let us repeat is something. Let us hope it is but the forerunner of the future decree which shall declare all discrimination between citizens as contrary to the principles of a free democracy as set down in our constitution and its amendments.

Pittsburgh (Pa.) Courier.

The United States of America ought to feel nearer to Democracy since that decision than ever before. It would be a travesty indeed if the world war should be won for Democracy before our Supreme Court could check the prejudices of some un-American citizens residing in America. A pro-German citizen is admittedly an enemy to our country. But not one iota less an enemy is the man who seeks to blacken his country by the passage of any law that abridges the rights of any single citizen of the country.

And before we shall be fully prepared to receive and practice the Democracy for which our sons have been sent to die there is quite a little more house cleaning the Supreme Court must do, or we may find ourselves embarrassed when Democracy is thrust upon us.

Now that the Ghetto is knocked out, let us have a decision on other phases of prejudicial legislation.

Savannah (Ga.) Tribune.

The Supreme Court of the United States, as was expected of it, has risen in its pre-eminence and high vision of unwavering Justice, and put its foot on this species of class discrimination and race hate. It could not afford to do less and maintain its own self-respect and the respect of its great constituency—the great people of the United States. There is but one right way, one standard of justice, and no temporizing, quibbling or subterfuge can ever settle great social and moral questions like this one under discussion. Surely, "no question is ever settled until it is settled right."

Philadelphia (Pa.) Tribune.

This is an important decision, the most important, we believe, as far as our race is concerned since the famous Dred Scott decision against us. The "Grandfather Clause" decision was a great victory, but not as far reaching nor as potent as this, for in most of the States where the "Grandfather Clause" was in effect, they found other excuses to cheat the colored citizen out of the franchise.

Norfolk (Va.) Journal and Guide.

We are hopeful and optimistic. The segregation decision of 1917 is a far step from the Dred Scott decision of 1857. And it must be remembered that the decision was handed down by a Supreme Court the majority of whose members are Democrats, and whose Chief Justice is a native Southerner. The decision is unique and remarkable also for the reason that never before in the history of the Supreme Court has that tribunal reached a unanimous decision upon any question upholding the rights of the Negro.

Cincinnati (O.) Union.

Glory to God. The Supreme Court has spoken. Segregation is a damnable doctrine, unworthy a Christian people, unworthy a civilized community, unworthy a country consecrated to liberty. Such condition, whether in streets or street cars, should not be tolerated. It breeds dissension, its breeds anarchy. In days of danger, a united country is a nation's greatest safeguard.

Richmond (Va.) Planet.

We do not know anything that will have a greater tendency to restore the confidence of the colored people in the integrity of the courts and the sense of fair play in the nation. The action of the Supreme Court will win the cordial approval of thousands of white people, who have been more injured by the confiscatory nature and operation of the segregation laws than have the colored people, who were intended primarily to be its victims.

Boston (Mass.) Guardian.

At last the U. S. Court has spoken on the most outrageous of all civil discriminations, residence race segregation. As often fondly predicted, this extreme form of color segregation was adjudged unconstitutional. This is a most important victory for rights for colored Americans. As the *Guardian* has often said, segregation is the most dangerous form of proscription because it can be extended into the North more easily than some other forms. This residence segregation was its most dangerous and injurious form, because it was related to money-making.

Chicago (Ill.) Idea.

It has long been the hope of the controlling element in the South that, when "Negro Segregation" had been thoroughly entrenched and established in that section, that similar agitations were to be launched in Chicago, New York, Philadelphia and other cities of the North, and like ordinances passed and thus "segregation" or race separation was to become nationalized. But, thanks to the Supreme Court, this dream of the race-hating south goes tumbling into that chaotic mass of unconstitutional laws intended to keep down and degrade the colored race. "Thank God the government at Washington still lives," and constitutional liberty and fair play have an unwavering champion in the Supreme Court of the United States.

Atlanta (Ga.) Independent

In fact, the Supreme Court in this great decision, confirms the Declaration of Independence, "that all men are created equal, and endowed by their Contor with certain inalienable rights—life, liberty and the pursuit of happiness." This has been the standard for over a hundred and forty years, but it is just now being reduced to practice. Let us thank God that there is a just God who presides over the destinies of nations, and that, in His own good time, He will mete out justice to all men without regard to race, color or previous condition of servitude. Then let us possess ourselves in patience; let us do our duty as God gives us the light to see it, and in due time we will reap the reward if we faint not.

Nashville (Tenn.) Globe.

The decision of the court is a righteous one. It gives to the Negro that which was already his by divine right. This decision will tend to stop the Negro baiting which has been so prevalent in certain cities of the United States, and which once threatened Nashville. There never has been any good cause save hatred and prejudice, for the passage of segregation laws.

Raleigh (N. C.) Independent.

While Justice Day's conclusions are sound to the core and leave no ground upon which to base any similar future action, it is not up to the great deliverance of Chief Justice Clark of our State Supreme Court on the same subject. Judge Clark's opinion was one of the finest ever delivered by any court in the country.

Shreveport (La.) News Enterprise

If we posseas rights we would like to know it and feel they are ours. Don't jump to conclusions and don't try to move too fast. Do not hurrah too loud or talk or act too fast. We are coming into what belongs to us and by prudence we can retain it.

Red Bank (N. J.) Echo.

We have always maintained that this idea of restriction on property which seemed only to affect Negroes and Italians was a rank injustice and a gross insult to the Negro race in particular. Let us hope from now on that a man is a man whether white or black before th law, with equal rights and privileges.

Louisville (Ky.) News.

It is a glorious victory for the colored people of the city of Louisville, and a fitting reward for the sacrifices we have made to test this case in the highest court in the land; it being the first case of this kind ever before the Supreme Court, and, consequently, the first time the question of racial segregation has been passed upon by that body. The *Evening Post*, in its characteristic dishonesty of expression, would lead us to believe that the segregation ordinance has been working to advantage in Louisville of both the colored and white races. The *Post* knows full well that the enactment of the segregation ordinance was not brought about by either economic or social necessity, not even of expediency, but that it was purely a political measure, born of maste prejudice and designed to humiliate the colored people, retard their progress, and to prevent for a few inefficient whites that competition with colored people on an economic basis that would make the object sought equally obtainable to either.

St. Paul (Minn.) Appeal.

We might say much in reference to this act of tardy justice, but we will satisfy ourselves by saying: "Praise God, from whom all blessing flow."

Birmingham (Ala.) Reporter.

Here in Birmingham we were fortunate in having among our people a lawyer who, without calling for the expenditure of a single dollar, and merely out of an unselfish desire to serve his race, was able to safeguard his people against an iniquitous law from the very outset, so that they were not compelled to suffer the injustice of its operation for a single day. The race would be blessed if we had a larger number of such men and such lawyers throughout the country. The Government of the United States can be depended upon to do right; and much of the colored man's oppression is due to the fact that he wont exercise his rights under the law.

Galveston (Tex.) Times.

The highest court of the land has set in action a turning back to those people of this country who have for over half a century thought that colored people had no rights that white people were bound to respect. The colored people of this country are truly American citizens, having been for all these years of residence. It would now be far better for the whole nation and all others to destroy all signs of hatred that produce a spirit to arouse the heart and soul of mankind to despise his brother white or black. We are now on the banks of a mighty river of human justice and let's awaken to its action.

St. Louis (Mo.) Clarion.

The decision in the Louisville case is given added significance by the fact that it was the unanimous verdict of the same tribunal that annulled the infamous "Grandfather Clause," that for a generation has disfranchased the Negro in the states of the solid South. Let God be praised for this belated act of justice and let us remember that, all things come to him who waits. Now for the "Jim Crow" Car Law.

Cleveland (O.) Advocate.

This decision, rendered by Justice Day, of our own great state of Ohio, is a notice to the South that her growing policy of repression, and injustice, is at an end; that the colored man who has given his blood for the establishment and preservation of this country, and who is now rushing to the front to help "make the world safe for democracy," is entitled to justice—no more, no less. That decision rendered by the Supreme Court canot help but encourage us all, and arouse within us the belief that, after all, God reigns and the government at Washington still exists.

Denver (Colo.) Stateman.

But a few months ago we had an experience of a white organization in Denver endeavoring to get our mayor and council to pass a segregated ordinance on the same order of Louisville, but

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the foresight of this body of representative citizens prevailed, and they would have given their negative decision but for the persistent efforts of a number of white taxpayrs, and as a case was slated for the Supreme Court, the matter was kept in abeyance awaiting the present decision.

and respected in the community, are selected and designated as local trustees. These men become the adrent campaign promoters of that phantom $300 in making, the custorians of that slow increment, the proud overseers and fiduciaries of their community wards. These people—in spite of the apathy of the ministers, the uncanny and loyal devotion to the many secret orders, whose agents swarm around and infest their homes, bring forward, bit by bit, a part of their scant remaining substance to meet the condition—precedent toward obtaining a new and up to date schoolhouse.

But very little money-getting can be left to the royal trustees; Washington must make a house-to-house campaign. He must traverse the steps of the minister; he must compete with the emissaries of the Royal Knights of King David, the Knights and Daughters of Tabor; the Brothers and Sisters, Sons and Daughters of Moses; the Galilean Fisherman; the Mosaic Templars; the Wise Men and Women; the Good Shepherds; the Sons and Daughters of Peace; the United Brothers of Friendship and Sisters of the Mysterious Ten; etc. He must sit around their firesides; he must ride in their wagons from the station, and attend their churches; he must join them in their procession over the collection, and mingle with them in their great spreads, after the church rally, in the churchyard.

In spite of the many obstacles he encounters young Washington is getting results. More than fifty Rosenwald schools have been constructed, within the last three or four years in Alabama alone. And now another schoolhouse has just been completed at Jackson Prospect, a colored community, Montgomery County, ten miles from the city of Montgomery. The Jackson Prospect schoolhouse is an elegant building, located upon what was once a part of the Greil plantation. A plot of two acres was donated by the owner, a prominent business white man of Montgomery—thus attesting an unselfish devotion to the improvement of the people in that community.

The new school has a pleasing perspective, and is in every respect modern. It has two spacious rooms, high ceiling, a sanitary kitchen, and well ventilated closets for the children's wraps. The shades and lights are most effectively brought out, and the playground is beautifully ornamented with large trees and an indigenous turf. The greatest distance the farthest children have to walk is just a little more than a mile, and the main road to the city of Montgomery is one-quarter mile distance.

Young Washington does not cease his efforts so soon as the building is erected, but he comes around as usual until the rooms are filled out with decks, blackboards, and other equipment. It was for this purpose, Sunday, October 4, that he carried down a party of teachers and officers of the Tuskegee Institute to assist him in a fine appeal for the complete equipment of this new schoolhouse, which will cost in all a little more than $1,000.

PREVENTS SEGREGATION

—11918

Louisville's Negro segregation ordinance was declared unconstitutional by the Supreme Court of the United States, November 5. The decision is far reaching, including Baltimore, Richmond, St. Louis and other southern cities, all of which have similar ordinances to that of Louisville.

The conclusion of the court was that such ordinances are invalid because they are straight-out arbitrary violation of the rights of a certain class of citizens.

The decision, we will say, was expected because of that court—its makeup and its meaning in the affairs of our country, and furthermore because of the recent decisions in cases somewhat of the same nature as this one. As salutary and hopeful as the decision is the race is not to think that it is wholly lifted from the sloughs of special legislation. That court held that there exists a serious situation, which, however, the law is powerless to remedy, a fact which we have ever brought forward, and which means that judicial bodies or legislative can only control where there is a major sentiment in accord or where the major sentiment is not fixed and determined. On such a situation hang all of the laws. A republic means the will of the majority in operation, to say it roughly. One can readily see what our courts and legislatures are up against in trying to serve an "insignificant" minority if the great majority says otherwise. The manifest business is to keep true to the ideals of the republic as to the voice of the greater number and at the same time see to it that no citizens is defeated of justice—that he is accorded every right and privilege—a very difficult thing to do most assuredly.

We have said more than once that knowing the situations and knowing the integrity of all men that reach the great distinction of judges, not to speak of the very eminent who sit at Washington, these men, under such circumstances as this case of segregation presented, have our sympathy owing to the great mental strain they must undergo in trying to serve two masters, so to speak. They are trying to govern by that higher law announced both in the Declaration of Independence and the Federal Constitution and that other which reckons with numbers, the "physical" force in the governing genius of the country. We mean that numbers count for most, and right, if in keeping with the spirit of things. But who is there to declare against numbers when the civil conduct is not in keeping with the spirit of the laws? It is here that these great men who feel the force of what we are trying to say much more keenly than we do, or any others, need sympathy.

We feel it necessary to say something of the kind in order that the members of that court, the final court of this, the greatest of all countries, may know that the thoughtful of our race view it as something to render an opinion of the kind. Long before the Louisville case was disposed of we took the occasion to say that we recognized the difficulty in such matters. For after all the government is the people. However, we insisted that there was no general demand for segregation, it being more or less the work of rental agents owing to the alleged reduction in real estate values because of the presence of Negroes, and also because of a few avowed anti-Negro white people who are found in every community, but the most of whom are not aggressive in such matters unless led. In other words there is not and never has been an overwhelming sentiment against the dwelling places of Negroes. Consequently, the supreme court did not have the same condition to face as it would when facing the "Jim Crow" car problems.

Laws providing for the separation of races in public conveyances and in the public schools where equal privileges are given, the court pointed out, have been upheld, but it assented that such legislation must have its limitations, and cannot be sustained where the exercise of authority exceeds the restraints of the constitution.

Speaking of the segregating ordinances again, the court decided that such laws would not prevent the amalgamation of the races as was claimed by the Louisville authorities or prevent race conflict. Desirable as this is and important as the preservation of the public peace, this aim cannot be accomplished by laws or ordinances which deny rights created or protected by the federal constitution.

The Negroes have won their fight as far as it is possible to be won at this time. We say this advisedly, cautiously, having in mind the statement that "There exists a serious situation, which, however, the law is powerless to remedy." This may mean that there may yet continue an elusive system of segregation or discrimination which will refuse to yield to the mandates of courts. However, as the matter stands on the surface a great victory has been won and as said above, not unexpected because things are conspiring generally to give the Negroes a better civil rating. Segregation as it is now done by ordinance is defeated, and whatever possible thing that may tend to keep it up will be weak, falling of its own weight. The weakened sentiment in favor of the movement owing to the righteous decision of the court will weaker grow and perhaps for all time, insuring the passing of legislation which tends to divide the people into hostile classes.

THREATENED TENANTS STAND THEIR GROUND

The Chicago Defender
1-20-17

The anonymous letters urging the citizens on Bryant avenue and Rhodes avenue to move had no effect on the people of that neighborhood. A Defender reporter visited the home of every member of the Race on Sunday and each head of the family, wives, daughters, sons and others, were ready to defend their castle with their blood if need be. Every one, however, seems to take the matter as a joke and says there is nothing to it. Officer William McKenzie (white), of the Stanton avenue Station, 35th and Rhodes avenue, who has the situation in hand, told a Defender reporter that he did not believe there was anything to the letters and that there would be no trouble. Alderman De Priest of the Second ward visited the station and showed the captain one of the letters and immediately two officers were put in the neighborhood to patrol it. This did not satisfy "Mike" Williams, whose people have recently purchased their home at 516 Bryant avenue. When a reporter of the Defender entered Mr. Williams' home he was escorted to a room where there was a young arsenal. Mr. Williams, who is almost a giant in stature, said: "We are here to stay. We are like the Rock of Gibraltar. The first night we received the letter, we patrolled Bryant avenue and our alley. Not even a cat crossed our path. Just say we are here and do not intend to move." Mr. and Mrs. L. Coleman own a beautiful home at 537 Bryant avenue in the middle of the block, surrounded by white neighbors. It is a well appointed home, large yard, front and back. When they first bought, some of their white neighbors annoyed them to such an extent that he had to take them to court. Since that time, nothing has occurred. The judge told the white people that Mr. and Mrs. Coleman were right in protecting their property and he would see that it was done. The cause of the recent trouble seems to hinge, it is alleged, upon the fact that at 511 Bryant avenue, the three-flat building has had the second and third flats vacant and white people living in the first flat. The agent, presumably tired of the flat not bringing in any money, rented it to families that would pay and keep his property in good shape. Mr. and Mrs. Anthony Antoine moved in flat 2 and Mrs. C. Levy moved in flat 3, 511 Bryant avenue. Then came the anonymous letters several weeks afterwards. The Defender reporter visited these two families. They were well pleased with the flats and said they were there to stay, letters or no letters.

Everybody Determined to Stay

One would think that such letters would frighten the women folks. Mrs. Margaret Wise and her daughter live in the third flat, east side, corner Bryant avenue and Rhodes. "No," shouted Mrs. Wise to a Defender reporter. "I am here to stay as long as I choose and no letter will ever make me and my child leave. We are not afraid." Mr. and Mrs. J. P. Dixon and Mr. and Mrs. Marshall Rayford live just across the hall. For bravery and determination, they seemed brim full. "Just say for me," said Mrs. Dixon that all the white people up the block writing letters for me to move would have no effect on our families and as for my sister and her husband, pointing to them, "they can speak for themselves." Mr. and Mrs. Rayford said: "No, we are not bothered in the least." Sam Smallwood and his brother-in-law, Jeff McKinney, live on the second floor of the same building. Mr. Smallwood said "I am from Missouri, no rabbit in me or my family." McKinney got down his 45 Colt and said, "See this, with it I am here to protect my home and my little brown wife and mother and never will I move." Daniel Clark on the first floor, west side and J. H. Cue on the east side in the same building said nothing would make them take one inch step in moving. Mrs. W. M. Harris, 507 Bryant avenue; Dr. Burnett, 514 Bryant avenue; the Warpoles, second flat and Mrs. Rhodes, 518 Bryant avenue, who owns her flat, said to a Defender reporter, they were there to stay and had no intention of moving on account of the jealousy of the neighbors up the street. The desk sergeant at the Stanton avenue station said it was an excellent neighborhood and no disorder had ever been reported to him and would see that nothing would come of the matter. The letters have been turned over to Postmaster Campbell and are in the hands of the United States secret service men.

600 Parents Ask Children's Shift to Other Schools

CHICAGO ILL. EXAMINER
SEPTEMBER 2, 1917

Change in Transfer Rule Expected to Cause Trouble in Negro Districts.

More than 600 applications for permits to allow children to attend schools outside the districts in which they live have been filed with the Board of Education.

Modification of the rule, made by the board at its meeting Friday, gives Superintendent Shoop discretion in issuing the permits. He has directed in all cases where schools are not overcrowded reasonable requests will be complied with. District Superintendent Rufus H. Hitch has charge of issuing the permits.

Some members of the school board see trouble ahead as a result of modifying the old rule. The change is expected to effect the negro sections of the city especially, as many parents will ask that their children be permitted to go outside the district and attend schools where there are few negro pupils.

Segregation – 1917

THE SEGREGATION CASE

ATT'Y. COHEN'S BRIEF

An Able Presentation of Virginia's Side of the Controversy.

SUPREME COURT TO DECIDE.

In the Supreme Court of the United States, October Term, 1916.—No. 231. Charles H. Buchanan, Plaintiff in Error, vs. William Warley, Defendant in Error.

In Error to the Court of Appeals of the State of Kentucky.

Motion to Allow Alfred E. Cohen, a citizen of the City of Richmond, Va., in his proper person and moves this Honorable Court to allow him to file a brief *amicus curiae* on behalf of the plaintiff in error.

Of Counsel for plaintiff, in case of *Hopkins* v. *City of Richmond*, (117, Va., 692.)

Richmond Planet

NOTICE.

7/7/17

To Pendleton Beckley, City Attorney for the City of Louisville, Ky., Attorney for the Defendant in Error, and Clayton B. Blakey and Moorfield Storey, Attorneys for the Plaintiff in Error.

You are hereby notified that Alfred E. Cohen, a citizen of the City of Richmond, Virginia, will on the twenty-third day of March, 1917, move the Supreme Court of the United States, on that day, or as soon thereafter as he can be heard, for leave to file a brief *amicus curiae* in behalf of the plaintiff in error, which brief is hereto attached.

Service of the foregoing notice of motion, with the said motion and the brief therein referred to, is here by acknowledged this day of March, 1917.

Attorney for the Defendant in Error.

Attorneys for the Plaintiff in Error.

There is no substantial difference between the ordinance of the City of Louisville and that of the City of Rich mond, segregating the races in their residences.

As we understand the contentions of the learned counsel for defendant in error they are that the ordinance segregating the races in their residence, was adopted as a result of racial antagonism which endangered the peace and good order of the commu nity; that the values of property were depreciated, because of mixed races in residential blocks; that the ordinance is reasonable in its terms; that It is constitutional, and lastly, ameliorates the housing conditions of both races.

We beg to submit for the plaintiff in error the propositions following in reply, viz:

First: The ordinance is unreasonable in its operation and this is apparent upon its face.

Second: The ordinance is unconstitutional and void, and

Third: The housing conditions of the colored race were better before than since segregation.

THE CASE ARGUED.

First: The ordinance is unreasonable in its operation and this is apparent on its face.

The learned Attorney for the City of Richmond, Va., says quoting the language of the case of Hopkins v. Richmond, 117 Va. Rep. 692, in which he appeared as counsel for the City of Richmond and in which we appeared of counsel for the plaintiff in error, that

"The central idea of the ordinance under consideration seems very manifest. It is to prevent the TOO CLOSE association of the races, which association results, or tends to result in breaches of the peace, immorality and danger of health."

(Hon H. R. Pollard's Brief p. 12.)

If in both the letter and spirit of the terms of the ordinance and its operation within such letter and spirit it was actually calculated to, and did prevent the too close association of the races in their residences, the legislative intent might speak for itself with out the declaratory preamble of the Virginia Legislature that "the preservation of the public morals, public health and public order in the Cities and Towns of this State is endangered by the residence of white and colored people in CLOSE PROXIMITY to one another. (Virginia) Acts 1912 p. 330." (Hon. H. R. Pollard's Brief p. 13.)

Although the Virginia Constitution requires the enactment to have a title, the facts are, however, as it appears to us, that not only was the Legislature not justified in the fear above expressed but the Legislature actually had no such real fear, for it has, *within the very terms of the ordinance*, made provision for the *close association* of an EQUAL number of white and colored householders at the same time on the same block.

(Hon. H. R. Pollard's Brief pp. 13-17-18.)

Upon the question of reasonableness of a law, courts do not run a race of opinion with the. legislative discretion; but due process of law within the meaning of the Fourteenth Amendment to the Federal Constitution is not secured if the citizen is subjected to an *arbitrary* exercise of the powers of government.

Giozza v. *Turman*, 148 U. S. 675.

Richmond Planet 4/7/17.

TERMS OF THE ORDINANCE.

By the terms and letter of the ordinance, the *close association* of the races in their residences is not prohibited, nor are the white and Negro citizens prevented thereby from living in close proximity, for the reason that the ordinance has not made it unlawful for an EQUAL NUMBER of each race to so dwell, but has only made it unlawful for them.

"To occupy as a residence **any house upon any street or alley between adjacent streets on which a *greater number of houses are occupied as residences*" by the other race

(Ordinance clauses 1 and 2; Brief Hon. Moorfield Storey pp. 2, 3, 4.)

In other words, it appears to us that the legislature really had no fear of breaches of the peace, immorality, injury to health and other disastrous results to humanity, depicted by its defenders, from too close association of five white householders and five Negro householders on the same block; or from the accretion of the eleventh householder. white or colored, on the same block, thus delimiting the same; or from a block occupied by mixed races; as the ordinance has not been, and cannot be construed to prevent the living in close proximity on the same block of an equal number of each race; but, the whole biting force of the law is directed arbitrarily as we claim, against the twelfth householder intending to occupy the same block for domiciliary purposes; it is not directed against the six other white and five colored, or five other white and six colored householders who preceded the twelfh one. We respectfully submit that the vice of the ordinance therefore lies in that *what .is permitted to one individual of .the same race is denied to another*... ..

SPIRIT OF ORDINANCE.

The spirit of the ordinance can be ascertained in no more accurate or satisfactory method than by discovering the way in which its advocates calculate it to act, and the way in which it *actually does act*. They desire to have set apart separate residential districts for the more opulent of the white race and they employed the most ingenious method ever devised within the history of this government to baffle judicial detection of the fact that they were violating that clause of the Fourteenth Amendment which provides that "No State shall deny to any person within its jurisdiction the equal protection of the laws," by first classifying the races for the purpose of making it appear that it acted upon all equally who were brought within the sphere of its operation, so that they might argue *"What is denied one class is denied the other, what is allowed one class is allowed the other"* as the court said in *State* v. *Gurry* 121 Md. 534 (Hon. H. R. *Pollard's* Brief p. 18;) and then proceeding to *delegate* to the more numerous of the two races—the white race—the power, in the natural movement and shifting of citizens in their homes to *make law*, or carve residential districts, for both races.

The ratio of the white to the colored population before and since the enactment of these segregation ordinances has been about 2 to 1 in favor of the white race. For the year 1916 Hill's City Directory of Richmond Virginia, gives the white population as 99,294 and that of the colored as 57,393.

The preponderance in number of the white population over that of the colored has been the important factor in producing and has produced the unlawful result.

In other words the object of the ordinance is ,and its necessary operation has been, to set apart certain exclusive residential districts for the more opulent members of the white race, and another different district for all members of the colored race, by employing the numerical preponderance of the white race, while shifting the location of their residences at intervals, to carve residential districts for *both* races.

(See Brief Hon. Clayton B. Blakey, pp. 15 to 22.)

"A class of citizens cannot be limited in their residences to a certain district."

In *re Lee Sing* 43 *Fed.*, 353; *Yick Wo* v. *Hopkins*, 118 U. S. 356.

Separate districts could not have been lawfully set apart to each race in the first instance; for all agree that as a class citizens must not be denied the equal protection of the laws, or deprived of their life, liberty and property without due process of law, so the ingenious method of putting the numerical preponderance of the white against the colored race was fixed upon and thus is brought about indirectly what could not have been done in the first instance.

(See Brief Hon. Clayton B. Blakey, pp. 15 to 22, inclusive.)

"The Courts are not bound by mere form, nor are they to be misled by mere pretenses; they are aware that liberty, indeed are under the solemn duty to look *at the substance of things*, whenever they enter upon the inquiry whether the legislature has transcended the limits of its authority. If therefore a statute *purporting* to have been enacted to protect the public health, the public morals or public safety has no real or substantial relation to those objects, or is a palpable invasion of rights secured by fundamental law, it is the duty of the Courts to so adjudge and thereby give effect to the Constitution"

Mugler v. *Kansas*, 123 U. S. 623; *Toledo, W. W. Ry. Co.* v. *Jacksonville*, 67 *Ill.* 37; In re Jacobs 98 N. Y. 98.

"The test of the validity of a statute is not what has been done but what may be done under its provisions."

City of Richmond v. *Model Steam Laundry*, 111 Va., 759.

By clause 1 and 2 of the ordinance, from the moment it became operative all squares were definitely segregated as white and colored residence districts as effectually as if they had been surveyed, platted and colored on the City map. But the City Council, contemplating and realizing that the individual, in an urban population changes his domicile at intervals, these two clauses cause such shifting movement to operate as a resurveying, re-platting and re-coloring of the City blocks by both races, white and colored, *without any rule of law* while this is taking place to protect the race of lesser numerical weight; as a result of which, while the whole body politic unite in the movement, the carving is done according to the will and power of the white race which preponderates; and therefore the colored race is at their mercy. And for the failure of the law to overcome this inequality while both races are in action, the colored race as a race, is thereby denied the equal protection of the law, in violation of the Fourteenth Amendment to the Constitution of the United States.

Of course upon a block which either before or after this shifting there are an unequal number of either race inhabiting it, none but those of the predominating race on that square may enter; but when the square is depopulated and there is but one house-holder living in it or the races are equally mixed on the block, then *the movement*, as indicated above, is the controlling and compelling force, and not *the law*..

"A general limitation on the exercise of the police power is found in the idea of reasonableness; that is, to be valid, a statute must be reasonable and enacted in good faith; for every merely arbitrary and capricious fiat of the legislature is out of place in a government of *laws* and not of *men* and is irreconcilable with the conception of due process of law." (Italics ours.)

McGhee on Due process, p 306.

As the white race out-numbers the colored race about *two to one* in southern urban population, the method adopted for the segregation of the races in the ordinance is further obnoxious as a delegation to the white citizens of the power to set apart separate residential districts, and thereby make law for the Negro citizens.

As to the power of the legislature to delegate to the people administrative and judicial functions in the exercise of the police power, there is great conflict in the authorities.

Freund on Police Power, Secs. 641, 643, 644.

"The whole difficulty seems to have arisen from confounding the distinction between the exercise of legislative power in framing and enacting laws or a statute which is to become a law; and the exercise of another altogether different and foreign, but subordinate power in producing the event or result upon which such enactment is to take effect as law. *Johnson* v. *Rich*, 9 Barb. (N. Y.) p. 683 684.

Therefore, ministerial and judicial functions, which appoint a day, bring about an event, certain or uncertain arrange a classification or division and provide for similiar objects, may be delegated.

Ex parte Bassett, 90 *Va.* 681;
McCrowell v. *Bristol*, 89 *Va.*, 663;
Ould & Carrington v. *Richmond*, 64. *Va.*, 464.

But in all of the abov. instances of a delegation of authority to the whole people, there is no such inequality as we find in the ordinance in question, by which a portion of the populace may deprive a citizen of a fundamental right by virtue of a preponderating numerical power existing in one race.

This Honorable Court in the case of *Eubank* v. *City of Richmond*, 226 U. S., 139, declared an ordinance void where "part of the property owners, fronting on the block, determine the extent of the use that other owners may make of their lots." While this Honorable Court in that case pronounced the ordinance unconstitutional and void as unreasonable and oppressive under the Fourteenth Amendment it was also void for the reason that it delegated to some of the property owners the right to make *law* for the residue of the owners on the block.

It is complained by the learned attorney for the City of Richmond that "The principal objection, however, of the petitioner is founded upon the supposed hostile motives of the supervisors passing it" in the language of the Court in *Soon Hinj* v. *Crowley*, 113 U. S. 703, and he further says quoting "and the rule is general with reference to the enactments of all legislative bodies that the courts can not inquire into the motives of the legislators in passing them, except as they may be disclosed on the *face* of the acts, or inferable from their operation, considered with reference to the condition of the country and existing legislation."

(Hon. H. R. Pollard's Brief, p. 42.)

We most respectfully submit that both upon the *face* of the ordinance in question and as disclosed by necessary, natural inferences from its operation, it is clearly an oppressive and unduly harsh race discriminatory measure, violating the Fourteenth Amendment providing for due process of law and the equal protection of the law, and enacted as a result of Negroes moving into better quarters called "white sections of the City" by the learned attorney for the City of Richmond, by which, as he says" the values of properties were depreciated thus entailing serious losses on property owners."

(Hon. H. R. Pollard's Brief, p. 7-8.)

If proof were wanting, this unfortunate admission of his supplies the motive, but he excuses his own frankness by arguing *ad hominen* on page 27 of his brief, "that so called race prejudice is not by any means a fault peculiar to the South, if indeed it is a fault."

As has been said by the learned attorney for the City of Richmond in the case of *Hopkins* v. *Richmond*, 117 Va. 692, Mary Hopkins was a Negress and Amedo Toni a white man; in that case Judge Keith, President of that Court dissented but failed to file his reasons therefore writing, yet the real motive for the segregating of the races in their residences was overlooked by the residue of the Court i. e. the preservation from depreciation in certain portions of the city of the value of land intended for occupancy by the more opulent of the white race.

This method of segregating the races in their residences is different from that adopted to segregate the races in public conveyances, and in the school-rooms, in that in the latter case the separation of the races was made directly by the law, and not indirectly by the dominant race *making the law*, as in the former.

Laws which make direct provision for limited separation of the races while travelling, have received the approval of this Honorable Court where the accommodations furnished have been seemingly equal and there has been no discrimination. And such were the laws passed upon in the cases of *Plessy* v. *Ferguson*, 163 U. S. 537; *Berea College* v. *Kentucky*, 211 U. S. 45; *Hall* v. *Decuir*, 95 U. S. 485, and kindred cases; and, not only was the separation not made in those instances; in as vast a degree as in the ordinance in question, but the regulations were fastened upon *corporations* which were creatures of the several States and subject to visitation and control by the legislature.

Munn, v. *Ill.* 94 U. S. 113.

This Honorable Court has said bearing out our contention, and as quoted by the learned City Attorney, Hon. H. R. Pollard, in his brief page 17, from the case of *Berea College* v. *Ky.* 211 U. S. 45.

"We need concern ourselves only with the inquiry whether the first section can be upheld as coming within the power of a State over its own corporate creatures. We are of opinion, for reasons stated that it does come within that power, and on this ground, the judgment of the Court of Appeals of Kentucky is affirmed."

But here in the ordinance before Honorable Court it is attempted to fasten the regulation upon the property of an individual in such manner as to deprive him of a fundamental right belonging to the ownership thereof, and in such a vast degree as to make the foregoing cases inapplicable for the purposes of illustrating the reasonableness of the ordinance; for within the confines of his curtlage and the four walls of his castle, be it a place or hovel, the citizen is already segregated from his neighbors in as great a degree if not vaster than is the traveller in the separated public conveyance and the scholar in the separated school-room.

If the separation in the ordinance provided for were against the domiciliary occupancy of the same house, or roof, by the races, there would be some analogy between the principles governing intermarriage of the races and their separation while travelling but the segregation sought to be effected by the ordinance is more radical, brought about in a different manner and in a partial and *unfair way*.

If this Honorable Court will take judicial notice of the history of Virginia it will be found such an ordinance as the one in question could not have been passed with as much facility before as after the Constitution of Virginia of 1902, since which time the colored man neglected politics and failed to qualify for the electorate. The interest of the colored man in politics gradually waned until the year 1911 when the first ordinance of this character, so it is said, was framed in the City of Richmond, Va., and they then ceased to have any voice at all in the council. As a result of this the Richmond Council was enabled to pass legislation affecting the right of the Negro citizen without his dissenting vote, and thus bring about under the guise of law, what would otherwise have been a conspiracy punishable under the Civil Rights Acts of Congress, if encompassed by individuals.

"A conspiracy between two or more persons to prevent Negro citizens from exercising the right to lease and cultivate land, because they are Negroes, is a conspiracy to deprive them of a right secured to them by the Constitution and laws of the United States within the meaning of Rev. St. U. S. Sec. 5508 (U. S. Comp. St. 1901 3712.")

United States v. *Morris, et al.*, 125 Fed. 322.

Seconds THE ORDINANCE IS UNCONSTITUTIONAL AND VOID

We hardly think it can be successfuly controverted that the home is the basis of many civil and political rights exercised by the citizen, and, if his will be circumscribed in the selection thereof, we strike at the manhood of the races.

In the Roman law we find, in the days of Justinian, that the right to live in one's own house, or rent it to another, was respected as a *particular right*.

"A habitation, whether given by testament, or constituted by other means, seems neither a use nor usufruct, but rather a particular right. And for public utility and in conformity to the opinion of Marcellus we have decided that he who has a habitation may not only live in it, but let it to another."
Cooper's Justinian Liber II Title V. *De habitatione.*

At common-law it was held that "a law for the total restraint of one's right will be void, as if a man be debarred the use of his land." R. Sav., p. 74.

With the legislative policy the Courts have no concern when not arbitrary and cannot run a race of opinion with the legislative discretion.

"But the policy of the government as expressed in its Constitution should control."

Hannah v. *People*, 198 Ill. 77.

"We must not forget that a Constitution is the measure of the rights delegated by the people to their governmental agents and not the rights of the people. The implied restraints of the Constitution upon legislative power may be as effectual for its condemnation as is the written words, *" *Rathbone* v. *Wirth*, 150 N. Y. 459.

The policy of the State of Virginia as contained in the Bill of Rights in its Constitution is to guarantee to every citizen the right "of life and liberty, with the means of acquiring and possessing property * *."

Art. 1. Sec. 1, Virginia Constitution.

"The police power is not above the Constitution, State or Federal, and must be exercised in subordination thereto as far as it imposes restraints." *Lacey* v. *Palmer*, 93 Va. 159.

"The police power is the most essential of powers, at times the most insistent and always one of the least limitable of powers of the government, but necessarily it has its limits and must stop when it encounters the prohibitions of the Constitution. A clash will not, however, be lightly inferred. *Eubank* v. *City of Richmond*, 226 U. S. 137.

As the right of "Possessing Property" is guaranteed to the citizen in the Bill of Rights of the Virginia Constitution, there we find an express limitation upon the exercise of the police power by the legislature to accomplish its destruction, unless the property itself or the use to which it is put, and not the OWNER or USER has become hurtful. (See Brief Hon Moorfield Storey, pp. 25, 26 ,27, 28.)

"Where rights of property are admitted to exist, the legislature can not say they shall exist no longer." *Wynehamer* v. *People*, 13 N. Y. 392

Therefore when the conduct of the individual citizen is inimical to the peace, health and well-being of society the individual may be disciplined, but his right of property in his home cannot be destroyed.

Akron Minister Discusses Negro Problem Sunday

AKRON O JOURNAL
JULY 9, 1917

That there can be no satisfactory solution of the negro problem in Akron or elsewhere in the United States until both negroes and whites have been taught to forget race prejudice and are self-masterful and broad-minded enough not to rise up in anger at questions involving race, is the opinion of Rev. U. S. Davis, pastor of the First Baptist church, as expressed in his sermon Sunday night on "Modern Knighthood."

Rev. Mr. Davis branded the recent race riot in East St. Louis as an act of barbarism and entirely out of keeping with the present standard of civilization in one of the most enlightened countries on the globe.

"The boys in blue only partially accomplished their purpose when they abolished slavery back in '61," declared Rev. Mr. Davis. "It yet remains for the men of the present age to bring about harmonious feeling between the two races in spite of the half century of restoration."

Differs With Judge Fritch.

Rev. Mr. Davis differed somewhat with Judge E. D. Fritch in his solution of the problem. Fritch in discussing the matter Saturday, advocated complete segregation of the black race by placing them in a state of their own where they would enjoy all civic rights to the utter exclusion of all civic rights by the whites. Rev. Mr. Davis said that this might solve the problem as far as the whites were concerned and would even give the negro a chance to prove his mettle, but it would not be the best thing from a moral standpoint in uplifting the negro.

He said that the question is a moral issue and must be contested on the principle of right and wrong, and it is up to the white race, who with their better opportunities for education and ambition ought to take it upon themselves to lift the negro out of the rut. This cannot be performed to the best advantage by segregation, he said.

DIVISION OF BEHAVIORAL SCIENCE RESEARCH REEL 7

Segregation – 1917

Supreme Court in Segregation Case Defines Powers of 14th Amendment Over State Laws

New York Age

11/13/17

(Continued from page one)

stitutional provisions Congress enacted in 1866, Chap. 31, Sec. 1, 14th Stat, 27, that:

"All citizens of the United States shall have the same right in every State and Territory, as is enjoyed by white citizens thereof to inherit, purchase, lease, sell, hold, and convey real and personal property.

And in 1870, by Chap. 114, Sec. 16 16th Stat. 144, that:

"All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses and exactions of every kind, and no other.

"In the face of these constitutional and statutory provisions, can a white man be denied, consistently with due process of law, the right to dispose of his property to a purchaser by prohibiting the occupation of it for the sole reason that the purchaser is a person of color intending to occupy the premises as a place of residence?

All Citizens Have Same Right to Purchase Property.

"The statute of 1866, originally passed under sanction of the Thirteenth Amendment, 14 Stat. 27, and practically reenacted after the adoption of the Fourteenth Amendment, 16 Stat. 144, expressly provided that all citizens of the United States in any state shall have the same right to purchase property as is enjoyed by white citizens. Colored persons are citizens of the United States and have the right to purchase property and enjoy and use the same without laws discriminating against them solely on account of color. *Hall v. DeCuir*, 95 U. S. 485, 508. These enactments did not deal with the social rights of men, but with those fundamental rights in property which it was intended to secure upon the same terms to citizens of every race and color. *Civil Rights Cases*, 109 U. S. 3, 22. The Fourteenth Amendment and these statutes enacted in furtherance of its purpose operate to qualify and entitle a colored man to acquire property without state legislation discriminating against him solely because of color.

"That there exsts a serious and difficult problem arising from a feeling of race hostility which the law is powerless to control, and to which it must give a measure of consideration, may be freely admitted. But its solution cannot be promoted by depriving citizens of their constitutional rights and privileges.

"As we have seen, this court has held laws valid which separated the races on the basis of equal accommodations in public conveyances, and courts of high authority have held enactments lawful which provide for separation in the public schools of white and colored pupils where equal privileges are given. But in view of the rights secured by the Fourteenth Amendment to the Federal Constitution such legislation must have its limitations, and cannot be sustained where the exercise of authority exceeds the restraints of the Constitution. We think these limitations are exceeded in laws and ordinances of the character now before us.

"It is the purpose of such enactments, and, it is frankly avowed it will be their ultimate effect, to require by law, at least in residential districts, the compulsory separation of the races on account of color. Such action is said to be essential to the maintenance of the purity of the races, although it is to be noted in the ordinance under consideration that the employment of colored servants in white families is permitted, and nearby residences of colored persons not coming within the blocks, as defined in the ordinance, are not prohibited.

"The case presented does not deal with an attempt to prohibit the amalgamation of the racees. The right which the ordinance annulled was the civil right of a white man to dispose of his property if he saw fit to do so to a person of color and of a colored person to make such disposition to a white person.

"It is urged that this proposed segregation will promote the public peace by preventing race conflicts. Desirable as this is and important as is the preservation of the public peace, this aim cannot be accomplished by laws or ordinances which deny rights created or protected by the Federal Constitution.

"It is said that such acquisitions by colored persons depreciate property owned in the neighborhood by white persons. But proerty may be acquired by undesirable white neighbors or put to disagreeable though lawful uses with like results.

"We think this attempt to prevent the alienation of the property in question to a person of color was not a legitimate exercise of the police power of the State, and is in direct violation of the fundamental law enacted in the Fourteenth Amendment of the Constitution preventing state interference with property rights except by due process of law. That being the case the ordinance cannot stand. *Booth v. Illinois*, 184 U S. 425, 429; *Otis v. Parker*, 187 U. S. 506, 609.

"Reaching this conclusion it follows that the judgement of the Kentucky Court of Appeals must be reversed, and the cause remanded to that court for further proceedings not inconsistent with this opinion."

MORGAN COLLEGE

White citizens of Lauraville and adacent territory are very much "set" up over the removal of Morgan College from its old and inadequate building at the corner of Saratoga street and Fulton avenue to a spacious campus of 67 acres on Hillen Road near Lauraville. Not only are they displeased at the temerity of Morgan College in venturing to remove to the suburbs of the city, but they have filed a suit at Towson to prevent the trustees of the college from occupying and utilizing the property they have purchased.

If Morgan College is forced to vacate, it will be the second time this year that a philanthropic institution of this city has been compelled to sell its property because of the protest of white neighbors. The delay of the Y. M. C. A. in starting its new building on the corner of McCulloh and Dolphin streets is due to the whites of the neighborhood, who invoked the segregation ordinance to help them.

Fortunately there is no segregation law on the books of Baltimore county, where the new home of Morgan College is situated. The Lauraville people have, for this reason, a more difficult task than those who prevented the Y. M. C. A. from building on its own site. This fact has not deterred them however, and they are hoping to have the college vacate its premises by bluffs, threats and perhaps later by violence.

In the face of it all, President Spencer and Dean Pickens are standing pat on the rights of the college to occupy any property that it owns. In last week's paper Dean Pickens pointed out that the college has been in its old location in a white neighborhood for the past 40 years without being a nuisance or eliciting a complaint. His article stated that Morgan College had not moved to Lauraville in order to be in a white neighborhood, (they were already in one), but to acquire the larger space needed for the development of the work and future of the school. Moreover not only the future of the school is at stake. The fight against the college "is a challenge to the right of the whole colored population of Baltimore to EXIST IN SPACE and to walk the streets."

Many prominent citizens and local associations are behind Morgan College in the fight to keep their property. Attempts by these same Lauraville people to have the state legislature in its last session pass a law evicting Morgan College failed largely thru the efforts of the Maryland Association for Social Service and others who had the whole situation clearly before them. As long as Morgan cannot be legally driven out, the indications are that it will neither be bluffed nor threatened.

MORGAN PARK OUT AT MIDNIGHT TO BAR NEGROES

Throng in Massmeeting Acts Against Flat Invasion.

CHICAGO [illegible] TRIBUNE

JULY 20. 1917

A large part of the population of Morgan Park was routed out of bed at midnight last night to gather in massmeeting and take action against a proposed invasion of negro tenants who, it was said, were to occupy a fifty flat building located in the center of the town.

It is estimated by David S. Oberg, secretary of the Morgan Park Business Men's association, that several thousand attended, including women and children.

The meeting was still in session at 2:30 o'clock. It had been decided at that time to appeal to the health department to coöperate against the Negroes by barring them from the building, which, Mr. Obert declares, has been condemned, and the insanitary condition of which, he says, has been responsible for its remaining largely unoccupied. A committee will call upon Commissioner John Dill Robertson the first thing this morning.

Ask for Chicago Police.

The property in question, according to Mr. Oberg, is at Monterey avenue and the Rock Island suburban line, in the heart of the village. The land is owned by W. D. Krutz, and upon it is a brick building three stories high and an entire block in length.

Mr. Oberg says that recently John Refokes, a real estate dealer at 140 North Dearborn, obtained a 99 year lease to the building, and, it was rumored, prepared to rent the flats to colored tenants.

Mr. Oberg said it became known in Morgan Park late last night that a request had been made of First Deputy Westbrook for a detail of police from the Englewood precinct to guard the building today, in spite of the fact that there are plenty of police in Morgan Park itself.

All Answer in Person.

This report led D. A. Knapp, president of the Morgan Park Business Men's association, and Mr. Oberg, the secretary to believe the proposed invasion was to take place today, so they decided on the massmeeting of protest.

There followed a busy telephone session with folk all over town and the response was immediate and overwhelming. The people poured downtown from all sections. The meeting was held in the largest store building the village boasts, but most of the people were forced to congregate outside. Among those who took part in the discussion were Ald. Fisher and Rea.

There are several hundred Negroes living in the east part of Morgan Park, but few in the main section, since 1908, when the murder of the village chief of police by a Negro caused bitter feeling.

NEGRO SEGREGATION ORDINANCE INVALID

U. S. SUPREME COURT DECISION IN LOUISVILLE CASE.

Ordinances in Other Cities Affected by Ruling of Highest Tribunal—History of the Litigation.

NOVEMBER 5. 1917

WASHINGTON, November 5 (by A. P.).—Louisville's negro segregation ordinance was to-day declared unconstitutional by the Supreme Court. The decision affects similar ordinances in Baltimore Richmond, St. Louis, and many Southern cities.

The ordinance became effective on May 11, 1914, and its purpose was to "prevent conflict and ill-feeling between the white and colored races in the city of Louisville and to preserve the public peace and promote the general welfare by making reasonable provisions requiring, as far as practicable, the use of separate blocks for residence, places of abode, and

places of assembly by white and colored respectively."

CONTENTIONS OF OPPONENTS.

Opponents of the ordinance claimed that as a result of the measure the negro inhabitants of Louisville would be compelled to live in quarters where they "will be thrown into close touch with and subject to contamination by disagreeable and worthless neighbors, and that it prevents them from moving into desirable and healthy neighborhoods and confines them to unhealthy and crowded localities." This contention was expressly denied by the advocates for the ordinance. They asserted that the ordinance was framed so that what was prohibited to the negro was prohibited to the white, and that the ordinance would be the means of ridding the negro sections of that undesirable class of white people which was frequently found in such localities. It was further claimed that the question of desirability was economic, and that experience had shown that the negro sections when relieved of the burden of undesirable residents would be made desirable.

Opponents also contended that the property rights of the negroes in the city of Louisville were greatly affected thereby. This was met by the contention of the advocates for the ordinance that the same rule applies to the white as well as to the negro residents. What is granted one is granted the other. What is denied the one is denied the other. And, further, as the white people own the bulk of property in the city of Louisville, that any restrictions upon property would fall heavier upon the white owner than upon the negro owner.

THE COURT'S DECISION.

In rendering the opinion Justice Day said:

"The authority of the State to pass laws in the exercise of the police power, having for their object the promotion of the public health, safety, and welfare, is very broad and has been affirmed in numerous and recent decisions of this court. But it is equally well established that the police power, broad as it is, cannot justify the passage of a law or ordinance which runs counter to the limitations of the Federal Constitution.

"That there exists a serious and difficult problem arising from a feeling of race hostility which the law is powerless to control and to which it must give a measure of consideration, may be freely admitted. But its solution cannot be promoted by depriving citizens of their constitutional rights and privileges. The right which the ordinance annulled was the civil right of a white man to dispose of his property if he saw fit to do so to a person of color and of a colored person to make such disposition to a white person.

"We think this attempt to precent the alienation of the property in question to a person of color was not a legitimate exercise of the police power of the State and is in direct violation of the Constitution."

ARBITRATION ON BLACK BELT SPREAD ASKED

EXAMINER
Chicago, Ill.
APR 6 - 1917

Representatives of Both Races to Confer in Effort to Avert Invasion of Exclusive Districts.

Chicago Board, in Emergency Session, Alarmed at Threats; Will Organize by Blocks.

Chicago's exclusive residential districts, already sprinkled with negroes from the South Side "black belt," may be spared further invasion as the result of an arbitration meeting between representatives of both races.

The peace conference, to be held within a week, was asked yesterday by a committee of nine members of the Chicago Real Estate Board, who held an emergency meeting to avert what they feared was becoming a race war between renting agents.

The suggestion was accepted by Jesse Binga, a real estate broker and one of the wealthiest negroes in Chicago. Binga to-day will organize a committee, including the three negro members of the Chicago Renting Agents' Association, to meet the board's members.

INVASION THREAT DENIED.

Threats of state and municipal legislation against the negroes and counter threats of a mass meeting to arrange an invasion of the entire city by the negroes were denied last night.

Eugene Manns, negro president of the "South Side Business Men's Association," inflamed the situation yesterday by announcement of the mass meeting to be held in the Coliseum.

"We will urge that negroes go into any district in Chicago," he said. "We don't care how exclusive it may be. Negroes are preparing a big surprise for the white people; yesterday the purchased a piece of property in one of Woodlawn's most exclusive districts."

"Rot!" said Binga, when informed of that statement, "Manns is president of nothing—there is no such organization as the South Side Business Men's Association. There will be no mass meeting."

PREDICT LOSS OF MILLIONS.

The Chicago Real Estate Board, however, at their meeting, the second in two days, was alarmed and predicted more and more loss to Chicago, millions of dollars, if the influx of negroes continues in the better residential districts.

"The board's committee recognizes," its members said last night, "that a great immigration of negroes is in progress and that some practical means must be devised to school and house them. The committee wishes to warn owners, however, against statements by negro realty agents that dwellings in the same block have been contracted for negro tenants. As protection against such deceit and misrepresentation we urge the organization of owners of blocks without delay, as the situation is largely in their hands.

"We are dealing with a financial proposition and not race prejudice, and we ask the co-operation of influential negro citizens that each negro-populated block may be filled solidly, that further expansion may be confined to contiguous blocks, and that the present method of obtaining single buildings in scattered blocks be discontinued."

SOUTHERN VIEW OF SEGREGATION.

The Freeman 4/7/17

The general rejoicing by the Negroes noted throughout the country by the press over the United States Supreme Court's action in putting a quietus on the segregation ordinances is indicative of the deep feeling of chagrin that was felt by them generally in view of the operation of these laws. There are among us, the Negroes, many who may be said to be latitudinous; that is, they consent, in a way, to various kinds of discriminations which for the sake of clearness might be called petty discriminations such as do not interfere with the fundamentals of citizenship. Not that they are conceded, but are endured without serious complaint. The necessity of enduring them is too well known for a rehearsing at this time. We might say, however, in passing, that it is merely a phase of the solution of citizenship—the discrimination and endurance. Both races seem to know and understand as if by intuition; if it were not so we would have much more manifest friction than we do.

There are some essentials, some fundamentals. which to violate at once arrests the attention of the Negroes on one hand, and which is also disquieting to the thoughtful of the white race ,those that are as the guardians of the country's integrity, holding it true to its purposes—those principles which make it what it is. However divergent the views of the Negroes concerning the minor delinquencies they are together in opposing those great wrongs which, if permitted, could have but one result. Segregation is one of the most serious wrongs that has been heaped on the race The reduction of the suffrage was not nearly so bad because there is at least the idea of commonness, and in fact to some extent, because some white men also fail to meet the qualification tests. Then, too, suffrage is somewhat of an honorary endowment. Men desire it much more in the name than to practice it. At the recent election in this city something like 20,000 voters failed to show up at the polls, and had it not been for the hurrah and bustle of the candidates and workers 20,000 more, perhaps, would have staid at home. And yet all of these voters would have "declared war" if the privilege of voting had been denied them. It is plain to see that segregation, while insignificant, appearing on its face is meaner, in a way, than the suffrage measures as they appear theoretically, there being a show of equality.

That the Negroes have the great supreme court on their side in their contention for an unrestricted citizenship is the victory—a great moral victory. It may not mean the immediate sweeping away of every vestige of the odious efforts even if there can be no more segregation ordinances. We called attention to that court's fears when it said that "There exists a serious situation, which, however, the law is powerless to remedy." Commenting on the statement in the previous issue we said:

This may mean that there may yet continue an elusive system of segregation or discrimination which will refuse to yield to the mandates of the courts. However, as the matter stands on the surface a great victory has been won and as said above, not unexpected because things are conspiring generally to give the Negroes a better civil rating. Segregation as it is now done by ordinance is defeated, and we think that whatever possible thing that may tend to keep it up will be weak, failing of its own weight. The weakened sentiment in favor of the movement, owing to the righteous decision of the court, will weaker grow and perhaps for all time, insuring the passing of legislation which tends to divide the people into hostile classes.

If one were inclined to think we were premature in sounding a warning we submit in part what the Richmond (Va.) News Leader had to say as seen in the Richmond Planet:

Richmond had little race trouble before it adopted the segregation ordinance and it will know how to protect itself if our ordinances like that of Louisville ,be declared unconstitutional. Our chief danger, in fact, lies not in the overthrow of the ordinance but i nthe misinterpretation of the Supreme Court's action by the radical element of our Negro population.

Here follows the Planet's caustic comment on the above:

We agree with our esteemed contemporary if it will also add:

Our chief danger, in fact, lies not in the overthrow of the ordinance but in a misinterpretation of the Supreme court's action by the radical element of our white population.

And then again the News Leeader, the white publication, goes more to the point, saying:

We have in Richmond, fortunately, sensible Negro leaders, who will understand that an ordinance, not a system has been upset, and that what the city may not be able to do by formal enactment it will be able, justly and fairly, to do by other means. Recognizing basic existing conditions as necessary, these Negroes will restrain those who may be tempted to view the action of the court as a great race victory.

In our comment, the Freeman's, in the previous issue on the decision we had this to say:

That court held that there exists a serious situation, which, however, the law is powerless to remedy, a fact which we have ever brought forward, and which means that judicial bodies or legislative can only control where there is a major sentiment in accord or where the major sentiment is not fixed and determined. On such a situation hangs all of the laws. A republic means the will of the majority in operation, to say it roughly. One can readily see what our courts and legislatures are up against in trying to serve an "insignificant" minority if the great majority says otherwise. The manifest business is to keep true to the ideals of the republic as to the voice of the greater number and at the same time see to it that no citizen is defeated of justice—that he is accorded every right and privilege—a very difficult thing to do, most assuredly.

The News Leader, it will be noticed takes refuge behind the fact "that judicial bodies or legislative can only control where there is a major sentiment in accord or where the major sentiment is not fixed and determined when it says:

Race segregation is a fixed principle in the South. It rests not upon prejudice but upon a correct understanding of our peculiar problems. Being racial, it will persist and will triumph. In so far as it relates to the separation of the races in trains and street cars, it is well established at law, was indicated in yesterday's opinion and is recognized by our Negroes.

One blue bird does not make a summer, nor must we think that the News Leader is alone. What it had to say is the voice of the white south. It is baffled and beaten in its direct effort at the business of segregation—"its head is bloody but unbowed"—and we may as well know what it is thinking about it as to try to ignore it

Segregation – 1917

SEPTEMBER 11, 1917

Protest Meeting Held on York Road by White Residents.

Vigorously protesting against the establishment of a proposed negro settlement in that section, more than 100 residents of Govans held an indignation meeting last night in Blessed Sacrament Hall, at Forty-second street and Old York road. There were represented at the meeting, besides the South Govans Improvement Association, under whose auspices the meeting was called, the Kenilworth, Govans and Charter Oak Improvement Associations, with several present from the other civic organizations of that section.

Henry J. Bentzel, Jr., was made permanent chairman and treasurer of the meeting, and Charles C. Hill secretary. A committee was appointed, composed of John J. Ringold, Walter Gillespie and Harry W. Dorsey, to investigate the extent to which purchases have been already made and to ascertain the necessary legal steps to restrain further purchases. The citizens of that locality have become much incensed at the activities of certain real estate agencies in securing options on land for building purposes by the negroes in the Govans neighborhood.

AMERICAN

Baltimore, Md.

...ING THE NEGRO.

To the Editor: In a letter to The American dated August 11, 1913, I wrote: "The negro is at bay; let us kill him before we have to fight him in a war into which our cruel ignorance and prejudice have forced him to enter most unwillingly." This was written in pretest against an effort which was then being made to keep the negro in the narrow alleys and unsanitary streets which ought never to have been permitted to exist, and from which his present economic value to the community is giving him opportunity to remove.

I am glad to see that after four years the honorable mayor of Baltimore and other conscientious citizens are becoming concerned about the well-being of the negro and are initiating a movement for the betterment of the conditions of negro life. Of course, such a movement in the nature of the case must give primary, if not exclusive, attention to the low-waged group of colored labor whose mode of life is manifestly substandard. But there is another group, the economical, efficient and fairly paid colored man, who cannot remove himself from a contact with the conditions dominated by the first group without great inconvenience and without charges which are of a nature of a fine. There is a large body of respectable negroes who are earning wages which, under normal conditions, would permit them to secure the comforts of a mode of life and the opportunity of a home adequate to their economic usefulness in the community. These negro families—and there are many such—are kept from their natural development by absurd and immoral segregation laws which limit them to undesirable and restricted regions—for no good reason except that it indirectly prevents certain property from advancing to its correct value.

There are streets in Baltimore thronged with unoccupied houses which are without value to their owners and which are depreciating in condition and value, and which will never be occupied by white tenants, and this because certain other owners happen to live in the block or happen to have white tenants. On the other hand, there are respectable negro families who cannot move into the more sanitary habitations in better neighborhoods because the blocks are closed against them. I trust that Mayor Preston in his effort to improve the condition of our colored citizenship will not overlook the tremendous possibilities that a rationalization of the present segregation law would have to this end. However, I take credit of being four years in advance of the sentiment of the community as voiced by the present effort, and in this suggestion I am still in advance of its sincerity.

PROF. SOSO BUTT.

Baltimore, February 23.

CHICAGO ILL. NEWS

NOVEMBER 24, 1917

Segregation Unconstitutional

A decision given by the federal Supreme court in a test case, which involved the validity of the various negro segregation ordinances passed in Louisville, Richmond, Baltimore and other southern cities some time since, is worthy of general attention. The object of these ordinances was to restrict colored citizens to residence in certain districts. The "police power of the state" delegated to cities was relied on to sustain the legality of the segregation ordinances, as it was asserted that they tended to promote peace, order and stability of property values.

In their briefs and arguments the attorneys for the city of Louisville, from which the case originally came, denied that the segregation policy was discriminatory or was derogatory to the equal rights of the colored population. They dwelt on the fact that what the ordinances prohibited to the colored citizens they prohibited also to the white citizens.

The Supreme court was not impressed by these arguments. It recognizes the dangers that arise from race prejudice and race antagonism, but it takes the ground that under the federal constitution certain short cuts and radical solutions of difficult problems are impossible. The legislature, the court says, cannot prohibit or delegate to a city the right to prohibit a white person from selling his property to a negro, or a negro from disposing of his property to a white man, regardless of the possibility of friction or material loss that may result from unrestricted buying and selling of property by colored and white persons alike.

This court decision is a victory for those principles of liberty and democracy to which this republic is dedicated and for which Americans of all races, colors and creeds are preparing to fight and die on European battle fields. The problems that arise from race antagonisms must be solved within the fundamental law, patiently, slowly, amicably and justly.

BANNER

Nashville, Tenn.

A NEGRO PROBLEM.

Baltimore has a "negro problem" though not of the kind ordinarily meant by the phrase. In this instance the problem is that due to the very high death rate among the negroes, practically double the death rate among the white population. In the relative number of deaths from tuberculosis the comparison is more striking, their losses being about three and a half times that of the white race.

Mayor Preston calls the situation one of "alarming gravity" and has issued a call for a meeting of physicians and social workers to be held this week to discuss ways of lowering the death rate among the ninety thousand negroes of that city. It is stated that Mayor Preston has a plan providing for partial segregation by the establishment of a negro colony laid out along modern lines in the county outside the city limits. The blame for the high death rate from tuberculosis is placed by the mayor on poor housing conditions in the city.

The severe weather of this winter has been hard on the negroes living in the Eastern seaboard cities and northern states, and especially upon those who were attracted there last summer by higher wages. Naturally the negroes live in cheaper houses, and when this is coupled with their general ignorance of the laws of hygiene, they are more susceptible than the white population to the ravages of disease. In the Southern states the milder climate enables the negroes to live in poorly constructed houses without ill effects, though even in a more hospitable climate the predisposition to tuberculosis is more marked than in the white race.

Whatever the East and North offers the negro in the way of higher pay hardly compensates for the high death rate. A live negro chopping the cotton at a smaller wage has many advantages over his brother in the North whose constitution cannot stand the rigor of a cold climate.

TIMES

Topeka, Kans.

RICHMOND COMMENDS RACE SEGREGATION

Washington, Feb. 16.—City Attorney H. R. Pollard, of Richmond, today presented a brief to the supreme court commending race segregation ordinances of Richmond, Louisville, Baltimore and other cities as a means of promoting the interests of both negro and white citizens. The Louisville ordinance is before the court, and, if declared void, similar measures in other cities will be affected.

Photographs of negro residences, schools, churches and banks in Richmond were incorporated in Mr. Pollard's brief to show that restriction upon intermingling of whites and blacks does not curb the negro development. As ordinances also prohibit white persons from residing in negro residential sections, it was argued that there is no unconstitutional discrimination against the colored race.

The case will be reargued next month.

HELD ON, NOW REAPS REWARD

Colored Church Couldn't Be Bullied —Is At Last Bought.

Harrodsburg, Ky., June 14.—About a year ago the Colored Methodists of this town bought the old Presbyterian church which is right down in the white business and residential district. They bought it from J. N. Rue, a white man who had bought it for investment purposes. They paid $4,100 for the church. The white people fussed and fumed at the Colored purchasers but treated the white seller fine. They even dynamited the Colored church but never threw a pebble at Rue, the white man who sold it to the Colored people. But trusting in the Lord the Colored congregation refused to be bullied or dynamited out of their property. So the white people formed a realty company and bought the church for $5,600 and Mr. Rue was a member of the realty company. The Colored congregation cleared $1,200 which is not bad interest on $4,100 for less than a year. Peace is restored and everybody is happy and Mr. Rue has not lost a bit of prestige or caste with his white neighbors.

NEGRO OPPOSED TO SEGREGATION

White and Colored Join in Protest to City Council Against Colony.

"The colored people do not favor a segregated district. They buy where they can or where they are forced to buy."

This reply was made by Charles A. Cottrill, colored business man, when a resolution of protest was presented to the city council's public improvements committee Wednesday night, by residents in a vicinity which, it is said, several firms are desirous of turning into a district for colored families.

The resolution was referred to Law Director Commager. Dr. H. F. Burman is chairman of the committee which represents citizens of the section between Dorr street and Swan creek, and Hoag and Division streets.

The resolution says real estate men are discriminating against this section and that property values will suffer.

"Do not blame the colored man," declared Cottrill. "As a remedy to defeat this movement, which has been rumored, refuse to sell your property and request others to do the same.

Cottrill suggested a conference between the committee and a committee of colored citizens.

EVENING SUN

New York City

PLANS RACE SEGREGATION.

Chicago to Follow Example of St. Louis.

CHICAGO, Feb. 15.—Solution of the race segregation problem, made acute in recent months by the steady influx of Southern negroes, is the aim of action taken to-day by representatives of the owners of 50,000 of the 100,000 better class apartments in Chicago. Segregation statutes similar to the ones in force in St. Louis will be invoked.

"We believe the interests of Chicago demand that white people shall not encroach upon the colored or the colored upon the white," I. O. Ackley, a member of the committee appointed to perfect plans for immediate action, said. "Therefore we strongly urge the segregation of the races.

"Action taken recently in St. Louis has been decreed constitutional by the Supreme Court. It is perhaps the greatest piece of racial legislation since the Fourteenth Amendment."

The real estate men have also determined upon May 1 as the date for a general 15 per cent. increase in all Chicago rentals.

DIVISION OF BEHAVIORAL SCIENCE RESEARCH REEL 7

OPPOSE PLANS FOR COLORED COLONY

County Associations Hold Indignation Meeting in Hall at Hamilton.

Resolved to fight the plans of Morgan College in the establishment of a colored colony close to the beautiful section of Hamilton, over 100 members of the Harford Road Community Protective Association held an indignation meeting in Hamilton Hall at Hamilton last night at 8 o'clock.

Although Morgan College, now located at Edmondson and Fulton avenues, of which Dr. J. O. Spencer is president, holds nine points of the law, namely, possession of the tract on which they plan to locate the colored colony, the legal advisers of the association have declared that such plans can be circumvented.

The Harford Road Community Protective Association is made up of eight other organizations of similar motive, which are Lauraville Improvement Association, Hamilton Improvement Association, Montebello Lake and Improvement Association, Clifton Community Association, Clifton Park Improvement Association, Northeast Baltimore Improvement Association, Citizens' Improvement Association of Northeast Baltimore and the Old Town Merchants and Manufacturers' Association. All these organizations were represented at the meeting and Frederick Evans, of the Lauraville Improvement Association; Adolph Spamer, of the Citizens' Improvement Association of Northeast Baltimore; Charles H. York, of the Northeast Baltimore Improvement Association, were among the speakers.

VENGEFUL WHITES BOMB COLORED CHURCH

Harrodsburg, Ky., May 29.—At o'clock Sunday morning four dynamite bombs exploded in the colored Methodist Church here, doing possibly $200 damage. This building originally cost $15,000, and was erected by the congregation of the Assembly Presbyterian Church. Recently, however, it was sold to the congregation of the colored Methodists. The building is situated in the very center of the town, just off Main street.

When the colored people bought the property a great deal of opposition arose from many of the white people, followed by mass meetings and an offer to pay the colored Methodists the amount paid for the building, including repairs, expenses and to take it off their hands. This offer was refused.

The attempted destruction of the property appears to be the next move by the whites, and has caused intense excitement in this town.

CAN'T HERD NEGROES

UTICA N Y GLOBE
NOVEMBER 17, 1917

Segregation Law Held Unconstitutional.

The law, segregating the negro population of Louisville, Ky., has been found unconstitutional by the United States Supreme Court.

The measure, which prohibited persons of either race moving into blocks in which a majority of residents were of the opposite color, is similar to ordinances now in effect in St. Louis, Baltimore, Richmond and many other southern cities.

Such laws, the court decided, would not prevent the amalgamation of the races, as was claimed by the Louisville authorities, or prevent race conflicts.

"Desirable as this is and important as is the preservation of the public peace," said the opinion, "this aim cannot be accomplished by laws or ordinances which deny rights created or protected by the Federal constitution."

Laws providing for the separation of races in public conveyances and in the public schools where equal privileges are given, the court pointed out, have been upheld, but it asserted that such legislation must have its limitations and cannot be sustained where the exercise of authority exceeds the restraints of the constitution.

The court's action was a reversal of the lower court, which held the ordinance to be a reasonable exercise of the State police powers. The ordinance was enacted in 1914 and the case was argued twice in the State Supreme Court.

OPPOSE NEGRO INVASION

BALTIMORE MD SUN
SEPTEMBER 25, 1917

Proposed Settlement Vigorously Protested By South Govans Association.

A largely attended mass-meeting was held last night in Community Hall, Forty-second street and the Old York road, to protest against the establishment of a proposed negro settlement in the neighborhood of Arlington and St. George avenues and other sections of Govans. It was held under the auspices of the South Govans Improvement Association.

It was explained at the meeting that rumors had reached members of the association that a tract of land bounded on the north by Winston avenue, on the east by Beauregard avenue, on the west by St. George avenue and on the south by Arlington avenue, and containing 19 acres, was to be purchased, together with another tract of 20 acres on the south side of Arlington avenue.

The 200 or more persons at the meeting showed their indignation by enthusiastically endorsing a resolution to be submitted to all the residents for signatures and later to be presented the candidates for the Legislature, urging the passage of a bill by the next Assembly prohibiting colored persons from settling in white communities.

It was set forth that the property owners had put all their savings into their homes and had worked hard to beautify them and they did not wish to have a negro settlement established in their midst. The resolutions were drawn by a committee composed of Michael P. Kehoe, Samuel H. Dehoff and T. Tilden Kelbaugh, and Charles C. Hill, secretary of the association, was instructed to have copies made for distribution.

NEGRO OWNER OF FLAT HOUSE TO "WAR" RACK

RICHMOND TIMES DISPATCH
JAN 27 1917

Eugene P. Manns, Negro owner of the twenty apartment building at 1937 Monterey avenue, Morgan Park, is going after Health Commissioner John Dill Robertson, the Rev. Arthur Rogers, the Rev. James White, and David Oberg, secretary of Morgan Park Business Men's association.

Manns has leased the building from a white friend and the friend has showed willingness to rent to Negroes. But there are people in the village who are not so willing, and one morning before the sun rose a meeting was held. Since then Negro flat hunters have not made any lengthy visits to the building.

So Manns hunted up a lawyer and filed a petition for an injunction to restrain the citizens from bothering the apartment hunters. The petition speaks of "bombs, insults, threats, and conspiracy."

RACE SEGREGATION UP TO SUPREME COURT

Washington, February 16.—Race segregation ordinances of southern cities were defended in a brief presented to the supreme court today by H. R. Pollard, city attorney of Richmond, in a test case from Louisville, Ky., affecting municipal laws of Richmond, Baltimore and other cities, to be re-argued orally next month.

Photographs of negro residences, schools, churches and banks in Richmond were attached to Mr. Pollard's brief as evidence that restriction upon intermingling of whites and negroes does not curb negro development. As white persons are prohibited from residing in negro residential sections, it was contended that there is no unconstitutional discrimination in these ordinances against the negro race.

Louisville, Ky., February 16.—The Louisville segregation ordinance before the supreme court became effective May 11, 1914. It has been held valid by the state courts of Kentucky. It provides that no white families shall move into any block in which the majority of inhabitants are negroes, and prohibits negroes from moving into blocks in which white persons are in the majority.

Both white persons and negroes have appealed to the city courts under the terms of the ordinance since it became effective.

BURRELL TO STAND PAT

Charged With Violating Segregation Ordinance.

Less than 48 hours after the United States Supreme Court announced its decision invalidatng segregation laws, Sidney Burrell appeared before Justice Tormellan, of the Southwestern Police Station, Wednesday morning, to answer to a charge of violating Baltimore's segregation law.

Burrell moved from 501 N. Mount stret to 1615 W. Lexington street several weeks ago. A white man living next door, complained against him, and a warrant was issued for his arrest. His lawyer contended that the 1600 block, which has five colored families living therein, extended from Gilmor to Mount street, and the segregation law was not applicable thereto. Justice Tormenton ruled that Burrell had moved into that part of the block included between Vincent and Gilmor streets, and released him for the action of the Grand Jury.

Mrs. Dickerson has lived at 1629 W. Lexington street for nearly thirty years and the block is regarded as a mixed one.

Mr. Burrell says he is going to stand pat and let the courts decide the question.

The recent decision of the United States Supreme Court on the question of race segregation in cities will have a wide and sweeping effect. This is virtually what we said in our last issue; but the event is so prophetic as to race progress, that the Negro press should not satisfy itself on one bare comment. It should furnish occasion for universal rejoicing among us, and in some way, drive down an historic stake or lay a memorial stone, inscribed, "Hitherto hath the Lord helped us." (over)

EVENING NEWS
Baltimore, Md.

NEGRO HOUSING CONDITIONS

Declares Segregation Law Is Responsible For Unhealthy State Of Affairs.

To the Editor of THE NEWS:

I read with interest Mayor Preston's call to discuss better housing conditions for the negro. The terrible housing conditions were brought about by the segregation law. Before the law the negroes were moving out of the alleys that are said to be so unhealthful.

The negro has outgrown the segregation quarters. The law is like an iron ring inexorably restricting one-sixth of the city's population from natural expansion. We all know there are hundreds of houses being built in the city to be rented to white people and none for negroes. H. N. C.

Baltimore, Feb. 26.

Negro Segregation Unconstitutional

Supreme Court Issues Decree on Ordinance Passed in Louisville

N Y C TRIBUNE
NOVEMBER 6, 1917

WASHINGTON, Nov. 5.—Louisville's negro segregation ordinance was to-day declared unconstitutional by the Supreme Court. The decision affects similar ordinances in Baltimore, Richmond St. Louis and many Southern cities.

In rendering the opinion, Justice Day said:

"The authority of the state to pass laws in the exercise of the police power, having for their object the promotion of the public health, safety and welfare, is very broad and has been affirmed in numerous and recent decisions of this court. But it is equally well established that the police power, broad as it is, cannot justify the passage of a law or ordinance which runs counter to the limitations of the Federal Constitution.

"That there exists a serious and difficult problem, arising from a feeling of race hostility which the law is powerless to control and to which it must give a measure of consideration, may be freely admitted. But its solution cannot be promoted by depriving citizens of their constitutional rights and privileges. The right which the ordinance annulled was the civil right of a white man to dispose of his property if he saw fit to do so to a person of color, and of a colored person to make such disposition to a white person.

"We think this attempt to prevent the alienation of the property in question to a person of color was not a legitimate exercise of the police power of the state and is in direct violation of the Constitution."

The one thing conclusive concerning the segregation decision by the supreme court is that there will be no more ordinances like those of Louisville, Richmond, Baltimore and some other cities. The far South is wedded to its idol as is set forth in the News Leader of Richmond, Va., but the northern section of the south, and which takes in Baltimore, Louisville and St. Louis, will thoroughly recover from its attitude of enforced divisions of the dwelling places of its citizens. The victory is great in a moral sense, civic moral and not because there will be sweeping changes.

It has a salutary effect, making for a whole situation, and which is of scarcely less importance to the white people than to the Negroes. For, regardless of what one may say, there are those among them whose souls rebel at wrong done the human kind whether in Belgium or the land of the Hottentot. Man is so constructed—his God part and happily so, making for what the world is now struggling, the utmost freedom of little peoples.

Segregation—1917

Segregation Case Is Being Now Argued

AN EARLY DECISION TO BE EXPECTED

Louisville News 4/25/17.

Washington, D. C., April 25.—The Supreme Court will listen to arguments beginning tomorrow morning on the validity of the segregation acts passed recently by many Southern cities. Dallas, Texas; St. Louis, Mo.; Baltimore, Md.; Atlanta, Ga., and Louisville, Ky., are the cities most vitally interested because the law is now in effect in those cities. But the principle of the law is so grave and the evil possibilities so great that Colored Americans are watchin gthe case with abated breath. Because it is well known that if the Supreme Court upholds this law the spirit of segregation will sweep the country, an example recently given being Chicago, the most cosmopolitan city outside of New York. The case at hand comes from Louisville, Ky., and is between Buchanan, a White man, and William Warley, of that city. Warley agreed to buy a lot from Buchanan and after the contract was duly made he refused to pay for it on the ground that he could not live on it, according to the segregation law. Buchanan brought suit for breach of contract. Warley was sustained in the county and State courts of Kentucky and the case was taken to the Supreme Court of the United States. On the decision of this court in this case hangs the fate of the race insofar as its property rights are concerned.

The National Association for the Advancement of Colored People is behind the case and Morefield Storey, the great constitutional lawyer of Boston, represents it, while Clayton Blakey, formerly City Attorney of Louisville, represents the local N. A. A. C. P. The City Attorney of Louisville and his assistant will argue in favor of the law.

Not since the Dred Scott decision has anything of so great importance effecting the race been before the Supreme Court. Many people having in mind the Supreme Court's action in the Adamson Eight Hour Law, wherein the railroad employes of the country virtually threatened to strike if the court did not decide in their favor, are asking if the Nation's peril, when it will need Black men as well as White, will affect the court. It could not be wondered at if an adverse decision in this case would cause Colored men to lose their zeal for fighting for such a country or would dampen their patriotism. But it must be remembered Black men protected their own masters' homes while said masters were at the front fighting to continue in slavery said Black men.

A RIGHTEOUS DECISION.

Last Monday Justice Day of the United States Supreme Court read the opinion of that august tribunal on the Louisville Segregation case. The decision of the court is a righteous one. It gives to the Negro that which was already his by divine right. This decision will tend to stop the Negro baiting which has been so prevalent in certain cities of the United States, and which once threatened Nashville. There never has been any good cause, save hatred and prejudice, for the passage of segregation laws. Such laws are always the children of the brain of those who haven't the ability, the talent, or the energy to get into the limelight by honorable means, they have to drag the Negro in, to stir up latent prejudice in order to attract attention to themselves and get themselves noticed. All law-abiding Negroes know that the authors and abettors of segregation laws make "Jordan a hard road to travel" for the black man.

The Negro has at all times been subservient to the laws of both state and nation but notwithstanding this he is the worst persecuted, maligned, brow-beaten than any other race on the American soil. He often cries aloud in his desperation and distress, "Is there no balm of Gilead?" Is there no peace? No justice? And he is sometimes tempted to ask, is there a God? Maybe, this discision means that a brighter day for the Negro is not far distant, and that "every day will be Sunday by and by."

Let us hope so. Let us also hope that man handling by petty officials and kindred evils will cease. Let the Negro have fair play. That is all he asks. Let him alone as long as he obeys the laws of God and man. Give him a chance to live and to own property unmolested by scheming politicians.

The Negro is here to stay. He is loyal to the stars and stripes, and is willing to shed his blood that the world may be made safe for democracy. He is willing to do all that can be done to incur the good will of the regnant race, and all he asks in return is to be protected in his lawful rights.

Yes, we rejoice in the decision of the Supreme Court. It is far reaching. It means justice and equality before the law. That is all the black man asks, no more, no less.

Now let us all sing—

"Praise God from Whom All Blessings Flow."

SUN

Baltimore, Md.

MAR 3 1917

MAY BUILD FOR NEGROES

Committee Considers Many Plans For Improving Conditions.

SMALL PARKS ARE SUGGESTED

Will First Investigate Wages And Rents—Tearing Down Of Alley Houses Proposed.

Organizing yesterday afternoon and getting down to work, the committee appointed by Mayor Preston to prepare a plan for providing the 90,000 negroes of Baltimore with better housing and living conditions placed the movement in the hands of a "steering committee," consisting of Gen. Lawrason Riggs, Dr. Theodore C. Janeway, Dr. William T. Howard, Jr. Assistant Commissioner of Health; Mrs. G. Huntington Williams and former Judge Alfred S. Niles.

It will make a survey of the city in working up a number of suggestions, including ample hospital facilities, the establishment of small parks in congested quarters, sanitary settlements within the city limits, country settlements and the study of hygiene in the negro schools, advocated by the Mayor. The committee will also investigate the average wage paid negroes, what they pay in house rent in various parts of the city and conditions in the "flop-houses" and lodging houses generally. Dr. John F. Goucher will be asked to explain in detail the Morgan College plan for establishing a negro settlement in the suburbs with accommodations for 300 families.

Another committee, consisting of Francis M. Jencks (chairman), Dr. Henry Barton Jacobs and J. Swan Frick, will investigate the Washington plan, where capitalists have built for negroes rows of modern two-story apartments with from two to five rooms each and renting at from $7 to $16 a month. This plan was explained by former Judge Niles, who was chosen chairman of the general committee.

The Mayor announced that the city contemplated establishing a general hospital for infectious and contagious diseases, with ample provision for negro patients, as soon as the Federal Government took over Quarantine and paid the price already agreed upon, $176,000.

Conditions under which many negroes are living were discussed, and it developed that a start toward improvement had already been made by the tearing down of about 20 houses in alleys and other insanitary neighborhoods. Health Commissioner Blake pointed out that he had the right to direct the tearing down of houses that were a menace to the public health.

The Rev. Charles Evers, pastor of St Barnabas' Church, detailed conditions in alleys in Northwest Baltimore, and said the new sewerage system and the paving of alleys were the most important things the city has yet undertaken.

It was the consensus of opinions that old houses could not be made sanitary and rented at prices negroes generally could afford to pay. Dr. Howard urged the buying up of blocks in the worst neighborhoods, tearing down the buildings and establishing small parks.

The Mayor enlarged the general committee by adding to it Dr. William H. Howell, of the Johns Hopkins Medical School; Dr. Goucher, and William H. Morriss, general secretary of the Young Men's Christian Association. Dr. Howard was elected secretary.

TRIBUNE

Chicago, Ill.

APR 5 - 1917

SEGREGATION OF NEGROES SOUGHT BY REALTY MEN

Plan Legislation to Keep Colored People from White Areas.

Segregation of the Negro population of Chicago into restricted sections by legislative action has been proposed and will be pushed by the Chicago real estate board. At a meeting of realty dealers yesterday a committee was appointed to frame such a bill for the legislature and an ordinance for the city council.

That the contemplated step will meet with the violent opposition of the Negroes as a whole and of others, too, will be expected, according to the realty men who voiced their opinions in yesterday's meeting.

The occasion for the movement is the migratory flood of southern Negro laborers, who are pouring into Chicago at the average rate of 10,000 a month.

$250,000,000 Damage.

This influx, according to L. M. Smith, I. O. Ackley, and others prominent in the board, will "do more than $250,000,000 damage" to Chicago property.

"The Chicago fire of 1871 is still being talked about as having destroyed $200,000,000 worth of property," said Mr. Smith, "but right now going on is a force that is doing greater damage and something must be done to stop it."

By various artifices the Negro real estate dealers are charged with "ruining" white residential districts by obtaining leaseholds on one building in every block and then renting the property to Negro tenants. This action, the real estate men say, causes an immediate depreciation in adjoining property values and one by one the white tenants move out.

Seek Big District?

There is alleged to be an understanding between these real estate men to obtain the whole district between Cottage Grove and State street, and Twenty-second and Sixty-third streets for Negroes. This would affect 300,000 persons. The manner in which they are effecting the "change of complexion" in this district is accomplished by various schemes, it is charged.

One dealer is alleged to have secured the admission of one colored family into an exclusively white block by sending the white wife of a Negro to rent an apartment.

The bills the Chicago real estate board propose to introduce into the present session of the legislature will be similar to those already in force in Kentucky, Missouri, and Maryland. In these states laws have been enacted which prohibit Negroes from maintaining residences outside of proscribed restricted sections of all cities of the first class. It is said the courts have held these laws valid.

A JUSTIFIABLE DECISION

One of the most important and satisfactory decisions of late years was rendered on Monday by the United States Supreme Court, which declared as unconstitutional and in violation of the Fourteenth Amendment the segregation laws now in effect in Louisville, Ky., and other southern cities. These ordinances, which prohibit members of either race owning or occupying property in blocks in which the majority of residents are of the opposite color, were so manifestly unjust to our people that the decision was unanimous. An attempt at framing such an ordinance was suggested at a meeting of white real estate dealers in Chicago a short time ago, but it met with such righteous opposition that the idea was abandoned. Monday's decision will lay at rest for all time these disgusting attempts to "kaiserize" the progressive, property-owning members of the Race, and will lend added zest to the millions of our people who are ready to aid and even die for this country in the present great struggle for true democracy.

Chicago Defender
nov 3 - 1917

Ignore the Defender's Warning Get Roiled Up

Knowing full well the attitude of the white real estate dealers who are on the Chicago real estate board, and ignoring the warning issued in last week's Chicago Defender to stay away from the meeting altogether, a few ventured out to go down to the board meeting Monday, and finally left in disgust after Mrs. Ida Wells-Barnett had been hooted by the white women. It is a pity that our supposedly educated people don't learn something. The board knew that it was utterly useless to try to start any segregation by themselves, but they were shrewd enough to know that the publicity given them by the white papers would aid them to bring about an agitation that they desired. The warning had no effect on some. Instead, some who never went to the first meeting, and who, for personal gain, thinking they would get quoted by the white press, made their way down. The meeting ended in discord, as we expected.

The Cause

Every citizen has a legal right to buy where he or she chooses, and wherever they elect. The whole trouble seems to be brought about by Eugene Manns, who is connected with Robert S. Winston. Manns knows little about the real estate business, according to others of his Race in that business. He has, for personal gain, wanted to bring about this segregated idea because he figures he will be able to get hold of certain flat buildings now occupied by whites and make a few thousand dollars in rent. At the first meeting Manns was not on the committee. Faulkner and Jackson were put there because L. M Smith (white) thought they could handle them. He was fooled, as neither man can be bought. The meeting was on Monday; three days later another meeting was held at a white real estate dealer's office on Fifty-first street. Manns had in the meantime slipped around and seen Smith, informing him that Jackson was a real estate owner and Faulkner couldn't be handled. Manns was on the committee, although not appointed in the open meeting. A. L. Jackson of the Y. M. C. A. suggested Dr. Hall as a non-real estate man on the committee. Knowing the doctor's stand, they did not want him.

The downtown papers have done George Jackson harm in misquoting him. They have made him say just what Manns said. Jackson showed his contempt for the way things were being handled by flatly refusing to go to the second meeting. Jesse Binga, Anderson, Torrell, DePriest, Watkins and other members of the Race refused to attend.

Jesse Binga Talks

A Chicago Defender reporter called on Jesse Binga, banker and real estate dealer, and asked his opinion on the question. Mr. Binga said:

"At this time, when the black men and the white men are asked to do their bit, it is nothing less than a crime against good government for real estate men of the character and caliber of some of those who met at the request of L. M. Smith at the Chicago real estate board rooms, to begin an agitation on Race segregation. This does not encourage men to leave their homes and families subject to designing promoters, who are conspiring to develop race hatred in their neighborhood, where 25 per cent of the Colored population of the city of Chicago reside. It would be well for those who are in any way affected by this move to consult their lawyers, for there is justice in the state of Illinois."

Chicago Defender
Nov 3 - 1917

The reporter also called on Walter Anderson and Mr. Terrell, but found they had taken the Defender's warning as had Mr. Binga, and stayed away. So had H. A. Watkins, 3150 Indiana avenue Mr. Faulkner was then seen. He said that the whole piece of business was an effort to eliminate the members of the Race in the real estate business. He had not been, nor never would be, a party to help or even suggest discrimination or segregation. It is a false and illegal move.

M. C. B. Mason of the firm of Faulkner & Cook, said: "Our firm stands firmly upon the position that segregation, as such, is a thing which we as a race must line up against, even if we have to lose money by so doing."

Mr. Riley was called upon, he representing Alderman Oscar DePriest's real estate department. He refused to attend any of the meetings, although he had been called up several times over the phone by L. M. Smith (white). Mr. DePriest, as well as Mr. Riley, saw that it was a bad proposition. Manns called in perosn and tried to line them up for the meeting, but was given the cold shoulder.

Should Be Run Out of Town

A man that will cause his Race all this trouble, or even attempt to segregate them, for the mere sum of a dollar, needs to be run out of town, and any business house he is connected with should be shunned. Those who are not satisfied with living free should go back down south, where segregation reigns supreme. As far as the real estate dealers of the Race are concerned, they are through, but those who want a bit of free advertising may again meet the board.

NEGROES MAKE PROTEST AGAINST "SEGREGATION"

Patriotism Can't "Best Thrive Under Discrimination and Oppression," Reads Appeal.

COLUMBUS O. STATE JOURNAL
SEPTEMBER 22, 1917

That the emancipation proclamation and the fourteenth and fifteenth amendments "be construed as intended" and that they "again be given full force and effect."

That "this American democracy be made safe for us."

That "the government at Washington and the people hereof take note that patriotism cannot best thrive under oppression, discrimination and segregation."

These are emphasized points in an appeal to be read at 2 o'clock this afternoon at Franklin Park, when Columbus colored people assemble in observance of emancipatoin day.

The appeal was framed by Ralph W. Tyler, Robert B. Barcus and William H. Ferguson. It recites that since Lexington, in 1776, the loyalty and fidelity of the colored man "has been tested and proved"; the negro has fought side by side with the white man.

Although enslaved for 250 years, the race has made "marvelous advancement" in the last 50 years. It is held to have accepted enfranchisement as an "encouragement to progress" and now to merit "liberty, protection and equality of opportunity, without discrimination, vouchsafed by the constitution."

"We shall strive not only to make the world safe for democracy but democracy safe for humanity," is the final statement.

9 no American
LETS GO SLOW 10/10/17

It is said the "all things comes to him who waits." This may be true, but very many times they will come much sooner if one goes after them. That the segregation law was unconstitutional was patent to every right thinking man; but it was inaugurated for a purpose, and those who inaugurated cared nothing at all about either constitutions or law, and frankly stated so at the time the law was passed. When questioned as to the constitutionality of the law, the author replied: "The colored people will never put up a fight against it, and if they do it will be a law until it goes through the courts and that will be a long time." All this was, to a certain extent true, but when the mater finally reached a man who had the fight in him it went to the court of last resort.

It has been stated in the newspapers that the author of the present city law will try his hand at it again. Well, there are persons who never know when they have enough, but inasmuch as the highest tribunal in the land has passed upon it we are not very much concerned as to what he will do. Like the segregation law, all discriminating laws must eventually be wiped off the statue books of the Southern states. The United States is in a war for DEMOCRACY, and it ill becomes the government to go to Europe to establish democracy for peoples over the seas when there is no democracy at home. Democracy, like charity, ought to begin at home.

And now here let us utter a word of warning. We are too prone to rush head over head into conclusions. We like many other people sometimes take liberty for license. To rush headlong into white neighborhoods, simply for the sake of getting back at the white folks is not good policy. There will be both white and colored unscrupulous real estate dealers who will endeavor to rush us into trouble of all kinds, for which they care nothing so long as they get the result of their sales. That we need expansion, goes without saying. Rents in the present segregated district are entirely out of proportion to what ohers are paying. Houses that are not worth half the amount are selling at extortionate prices, and it is most natural that we should endeavor to get away from such conditions, but we should go slow.

It will be hardly possible for us to expand without getting in some one's way, and that there will develop friction is also true, but it is up to us to show moderation, and thus disarm our worst foes. For the present, go slow and in the course of time, and not a long time at that everything will come our way, and that without unnecessary friction.

ATLANTA GA INDEPENDENT
JUNE 23, 1917

SEGREGATION AND HYPOCRISY.

When our fair city was visited with a disastrous fire about four weeks ago and while embers were still burning in the ash heap, hypocrites were quick to say that God had sent the flames upon Atlanta in order to bring segregation upon the municipality. With great headlines, the dailies published columns of rot about parks; trained architects levelled their genius upon the smitten Negro district to figure out ways and means to inflict segregation upon the Gate City of the South; local preachers and deacons, councilmen and lawyers, merchants and whatnot, of our white citizens, held meeting after meeting, devising ways and means to segregate the loyal colored people of the fourth ward, who, but a few days after the fire, registered two thousand, four hundred and odd, of its young men in this very ward alone as their offering to the President to lay down their lives as soldiers for this very city and country.

Now many of the white people long on prayer and mighty on foreign missions, own largely of the alley property in Mississippi Bottom, in Buttermilk Alley, in Glass' Alley, and like places. And while these same white missionary people are in large lecture halls taxing their brains to keep law-abiding, educated, self-respecting and decent colored people from living on decent property they own, they are building shacks and shot-gun cabins, upon every inch of the alley area in the burned district for the occupancy of the lowest forms of Negro life. They are building these shacks so thick and so close that the poor Negro devil who rents it, has his back door end where the front door of his neighbor begins. What a spectacle in fair play and decency it is for our white neighbors to be splitting their shirts about Negro occupancy on Houston, Irwin, Jackson and Cain Streets, and, if they would turn their pockets, they would disclose contracts already let for building miserable shanties on their alley property to be tenanted by wanton Negroes who scarcely fear God or regard man.

But this is the true spirit of segre-

Segregation—1917

N Y OUTLOOK
DECEMBER 5, 1917

NO RACE SEGREGATION BY LAW

The Supreme Court of the United States has unanimously decided that a law compelling the segregation of the Negroes by forbidding them to reside in certain districts in town or country prohibited to them is unconstitutional.

It is a curious fact that in the case which has led to this decision a white man claimed that such compulsory segregation enacted by a State was in violation of the Constitution and void, and a Negro claimed that it was not in violation of the Constitution and was valid. The Negro defendant agreed in writing to purchase certain property in the city of Louisville for his residence, in his agreement specifying that he should not be required to accept a deed unless he had the right under the laws of the State of Kentucky and the city of Louisville to occupy such property as a residence. He declined to accept a deed. The plaintiff, who was a white man, brought an action for specific performance by the defendant of this contract, and the defense was that, under and by virtue of an ordinance of the city of Louisville, the defendant would not be allowed to occupy the lot as a place of residence. This ordinance "to prevent conflict and ill-feeling between the white and colored races in the city of Louisville, and to preserve the public peace and promote the general welfare," made it unlawful for any white person to occupy as a residence any house upon any block upon which a greater number of houses were occupied as residences by colored people than by white, and, conversely, for any colored person to occupy as a residence any house upon any block upon which a greater number of houses were occupied as residences by white people.

The Fourteenth Amendment to the Constitution of the United States provides that "no State shall make or enforce any laws which may abridge the privileges or immunities of citizens of the United States," nor shall any State "deprive any person of life, liberty, or property without due process of law, or deny to any person within its jurisdiction the equal protection of the laws." The Supreme Court of the United States holds that the ordinance of the city of Louisville violates this provision in the United States Constitution. "Property," says the Court, "is more than the mere thing which a person owns. It is elementary that it includes the right to acquire, use, and dispose of it." To forbid a person, either white or colored, to purchase and occupy property solely because of his color violates, in the judgment of the Supreme Court, this fundamental principle of the American Nation. This right is recognized by the laws as well as by the Constitution of the United States, for its laws provide that "all citizens of the United States shall have the same right in every State and Territory as is enjoyed by white citizens thereof to inherit, purchase, lease, sell, hold, and convey real and personal property." The contention of the defendant that it was within the police power of the State to prohibit white citizens from living in a block of colored citizens, and colored citizens from living in a block of white citizens, the Court denies. "The police power," says the Court, "cannot justify the passage of a law or ordinance which runs counter to the limitations of the Federal Constitution." It was urged that the proposed segregation would promote the public peace by preventing race conflicts. To this the Court replies: "Desirable as this is, and important as is the preservation of the public peace, this aim cannot be accomplished by laws or ordinances which deny rights created or protected by the Federal Constitution."

This decision apparently puts an end to all attempts to bring about the segregation of races by any compulsory legal process. If Indians and white men in the West, if immigrants and Anglo-Saxons in the East, or if Negroes and white men in the South, are to live in separate communities, it must be by voluntary choice, not by legal compulsion.

THE NEGRO AND THE JIM CROW LAW.

The highly important decision rendered by the Supreme Court of the United States holding that the compulsory segregation of the negro and white races in residential districts is illegal will in all probability meet with some opposition in certain sections of the South and with approval by the majority of fair minded people. In the reconstruction period in the South the Civil Rights Act, which prevented the exclusion of the black race from public conveniences and places of entertainment was declared unconstitutional by the Supreme Court. As a consequence negroes have been discriminated against by being separated in trains, jails, schools, and even graveyards, and by usages and habit in theaters, churches and even in street cars. In some communities this radical action may have been justified, but in many instances has gone beyond all reason.

It has been demonstrated time and again that negroes will settle in a certain part of town and build it up for their own race of their free will and inclination, and not through any coercive agencies. In nearly all Eastern and Western cities where there is a considerable black population, the negroes have established themselves in a certain residential section where they live their own lives, unmolested and undisturbed by the whites, while they in turn keep to themselves and have little to do with their Caucasian brethren.

The negro problem is one that reaches its own solution. To legislate in a drastic fashion only opens up old sores and does irreparable harm. It is especially timely that the decision should have been rendered at this time, in view of the valuable and patriotic work the negro is performing. He has demonstrated again that with encouragement and good leadership he makes an excellent soldier, cheerful, law abiding, and with a proper sense of his duties and responsibilities. Excellent officers are those turned out at the negro reserve officers' training camp at Fort Des Moines. The townspeople at first feared their coming, but after a few days their exemplary conduct won the entire city over. The negro is getting a chance to show the good stuff he is made of. There is no doubt but that he will vindicate the belief and trust Washington puts in him.

NEGRO SEGREGATION BEFORE SUPREME COURT

Validity of the Ordinances of Many Cities Being Argued.

Constitution 4-28-17

Washington, April 27.—Validity of many cities' negro segregation ordinances was argued today before the supreme court.

The test case heard was that upon the constitutionality of a Louisville, Ky., ordinance establishing residence zones for whites and negroes. Atlanta, Richmond, Baltimore, St. Louis, and many other cities have similar ordinances, whose fate depends upon the court's decision in the present case. Attorneys representing city authorities, improvement organizations and negroes' societies, including some counsel of national repute, appeared.

The Louisville ordinance prohibits negroes from occupying residences in a block in which white residents are in a majority and also prohibits white citizens from residing in a block where the majority residents are negroes.

The principal contentions in favor of the ordinance are that it tends to remove racial friction, stabilize property values both of whites and blacks and does not discriminate against either race, being applicable in its terms to both alike.

That the ordinance is a mere subterfuge discriminating against the negro race, restricts their development and is in violation of the constitutional clause prohibiting discrimination because of "race, color or previous condition of servitude" was argued in opposition to its validity.

A unique feature of the supreme court presentation was a booklet of photographs of the Louisville negro residence districts showing costly and beautiful homes and public buildings.

The test case was argued once before in the supreme court a year ago, but no conclusion was reached and reargument today before a full bench were ordered.

N Y C WORLD
NOVEMBER 7. 1917

NEGRO QUARTERS AND NEGRO RIGHTS.

In nearly every case where Southern and Western municipalities have undertaken by ordinance to separate the habitations of whites and blacks there has been a pretense of subjecting both races to restrictions in the matter of owning, occupying or transferring real estate in certain districts. This was done by clever lawyers who wanted it to appear that the regulation was not discriminating; but it was well known that the purpose was to confine the negro to certain quarters and to deny him the right to acquire or use a residence elsewhere.

It must have been easy, therefore, for the Supreme Court of the United States, in deciding one of these cases, to hold unanimously that, as the police power had been exercised in this instance in violation of property rights guaranteed by the Constitution to whites as well as blacks, it was in conflict with the Fourteenth Amendment which speaks of life, liberty and property.

Yet the same court has decided over and over again that States and municipalities may separate whites from blacks in railroad stations and trains, street cars, schools and cemeteries, and the same Fourteenth Amendment is just as insistent upon "the equal protection of the laws" as it is upon any property right whatsoever.

SEGREGATION AGITATION CONTINUES TO BE MAINTAINED IN BALTIMORE

Daily Herald Nov 24-17

Mr. William T. Coleman Released on Writ of Habeas Corpus

An interesting turn was taken in the matter of the local race segregation ordinance today, when William T. Coleman, 2039 McCulloh street, who was being held by the police authorities for moving into the property situated at the above-mentioned address, which is alleged to be a so-called "white" block, was released on a writ of habeas corpus directed to Captain George G. Henry, of the Northwestern Police District, under whose authority Coleman was arrested. The writ was issued to the police by Judge John C. Rose, of the

DIVISION OF BEHAVIORAL SCIENCE RESEARCH REEL 7

United States District Court, upon a petition filed by Mr. Coleman through his counsel, Warner T. McGuinn, and Mr. Coleman was released from the Baltimore City Jail pending a hearing before Judge Rose, which has been set for December 4, and if finally released at that date, and from all indications he will, this will, in the opinion of lawyers, settle once for all the cries of local segregationists—City Solicitor Fields, et al.—as it would be useless for the police to continue making arrests, when the party so arrested could be immediately released by the United States District Court, upholding the recent decision of the Supreme Court, by which all courts of the United States are bound.

Mr. Coleman purchased the property, which is located at the southeast corner of McCulloh and Bloom streets, on August last as a home, but did not immediately occupy it because of the existence of the local segregation ordinance, but on being informed by counsel on November 5 of the invalidity of such a law, by virtue of the recent opinion of the Supreme Court, he moved into the house, and was then arrested.

COURT NEWS

The Daily Herald

SEGREGATION ARREST.

Nov 12-17

Despite the Supreme Court decision that the Louisville segregation law is unconstitutional, two warrants, charging violations of the Baltimore law, were issued by Justice Daly at the Western Police Court today.

Littleton Stewart (colored) was accused of moving into the house at 650 West German street, which is in a white block, and Isaac Merowitz, 865 Hollins street, was charged with renting the house to him. Patrolman Cooney obtained the warrants.

SEGREGATION HELD INVALID BY COURT

Louisville Ordinance, which Draws Color Line, Denies Rights of Constitution Supreme Court Declares

SEVERAL CITIES AFFECTED BY COURT'S DECISION

The Measure, which Prohibits Persons of Either Race Moving into Blocks in which a Majority of Residents were of the Opposite Color, is Similar to Ordinances in Effect in St. Louis, Baltimore, Richmond and Many Other Southern Cities—The Ordinance had been Upheld by Kentucky Courts.

The Freeman 11/10/17

WASHINGTON, Nov. 5.—Compulsory separation of the Negro and white races in residential districts is a violation of the constitution, the supreme court held today in a unanimous opinion declaring invalid the Louisville (Ky.) segregation ordinance. The measure, which prohibits persons of either race moving into blocks in which a majority of residents were of the opposite color, is similar to ordinances now in effect in St. Louis, Baltimore, Richmond and many other southern cities.

Such laws, the court decided, would not prevent the amalgamation of the races, as was claimed by the Louisville authorities, or prevent race conflicts.

"Desirable as this is and important is the preservation of the public peace," said the opinion, "this aim cannot be accomplished by laws or ordinances which deny rights created or protected by the federal constitution." Laws providing for the separation of races in public conveyances and in the public schools where equal privileges are given, the court pointed out, have been upheld, but it asserted that such legislation must have its limitations and cannot be sustained where the exercise of authority exceeds the restraints of the constitution.

The court's action was a reversal of the lower court, which held the ordinance to be a reasonable exercise of the state police powers. The ordinance was enacted in 1914 and the case was argued twice in the supreme court.

The segregation ordinance was appealed to the supreme court from the court of appeals of Kentucky after all the courts in that state had declared it constitutional. The ordinance became effective on May 11, 1914, and its purpose was to "prevent conflict and ill feeling between the white and Negro races in the city of Louisville and to preserve the public peace and promote the general welfare by making reasonable provisions requiring as far as practicable the use of separate blocks for residence, places of abode and places of assembly by white and Negroes respectively."

The ordinance does not attempt to confine members of either race to certain sections of the city, but furnishes a means whereby in the future a separation of the two races into white and Negro sections will be gradually accomplished. The city block is made the unit and members of each race are prohibited from moving into a block where the majority of residences are occupied by those of the opposite color. The ordinance in no way affects the right of occupancy of houses acquired prior to its passage.

Persons desiring to erect new buildings must obtain from the building department of the city information as to whether the block upon which the building is to be erected is either white or Negro and the application for the building permit must state for what purpose the building is to be used and by what race. The ownership and devolution of the property are in no way affected, merely the occupancy in certain cases is restricted as stated.

Th law only affects property within the limits of the city of Louisville. Suburban subdivisions are not affected thereby, it being the contention of the farmers that the crowded conditions and close association of Negro and white families in the city tends to cause conflict and disorder, as well as to lead to the danger of amalgamation of the two races. It was also shown that where Negroes move into a white block the value of property therein is immediately and greatly depreciated.

Opponents of the ordinance claim that as a result of the measure the Negro inhabitants of Louisville would be compelled to live in quarters where they "will be thrown into close touch with and subject to contamination by disagreeable and worthless neighbors and that it prevents them from moving into desirable and healthy neighborhoods and confines them to unhealthy and crowded localities." This contention was expressly denied by the advocates for the ordinance. They assert that the ordinance is framed so that what is prohibited to the Negro is prohibited to the white and that the ordinance will be the means of ridding the Negro sections of that undesirable class of white people which is frequently found in such localities. It is further claimed that the question of desirability is economic and that experience has shown that the Negro sections when relieved of the burden of undesirable residents will be made desirable.

Opponents also contend that the property right of the Negroes in the city of Louisville are greatly affected thereby. This is met by the contention of the advocates of the ordinance that the same rule applies to the white as well as to the Negro residents. What is granted one is granted the other. What is denied the one is denied the other. And further, as the white people own the bulk of property in the city of Louisville, that any restrictions upon property would fall heavier upon the white owner than upon the Negro owner.

The case was the outgrowth of a suit by Charles H. Buchanan, a white property owner, to compel William Warley, a Negro, to fulfill a contract to purchase his property. The deal was conditioned upon Warleys' being able to reside there under the terms of the segregation ordinance. It was alleged in the petition that the lot in question, being next to a Negro residence, was not saleable to a white person for a residence, and, therefore, the owner wished to sell it to a Negro for that purpose. As the majority of the persons living on the block where the property was located were white, Warley was not permitted to occupy the property for a residence and refused to complete the deal on this ground.

Buchanan instituted a suit against Warley, alleging that the ordinance was unconstitutional and asking that the defendant be compelled to fulfill the alleged contract. The circuit court of Jefferson county upheld the validity of the segregation ordinance. A similar decision was handed down in the Kentucky court of appeals.

AWAIT TEXT OF DECISION AT LOUISVILLE.

City officials are without complete details of the supreme court's decision on the segregation act, and not until the full text of its opinion is received here can the exact status be ascertained.

City Attorney Beckley is awaiting the full text of the decision. He declared it will not be possible to determine whether the act may be remedied by some amendments or whether the law is entirely unconstitutional until the text is received.

'It may be possible to cure the defects found in the present ordinance,' he said, "by amending it if the supreme court has not held that segregation of any kind, of the races, is unconstitutional in principle."

It is provided in Louisville's segregation ordinance that in each city block where the greatest number of resident families are white no Negro family may move in, and that no white family may move into a "Negro" block.

The segregation ordinance has been in effect here since 1914.

The ordinance was passed during the first year of Mayor Buschemeyer's administration. Suit was brought six months later contesting the constitutionality of the measure. Action was obtained through a suit by a white man against a Negro in a test case in which the former had agreed to sell his property to the latter for residential purposes. The defendant declined to complete the purchase and the plaintiff then sued to force completion of the sale contract. The suit involved provisions of the segregation ordinance.

Lower courts held that the ordinance was valid and that the defendant must complete purchase of the property. The case was argued before the Kentucky court of appeals in June, 1915, and that body pronounced the ordinance valid on the ground that only the resident rights were touched. The case was then carried to the supreme court of the United States, was first argued in April, 1916, and then reargued in April, 1917. The supreme court in its decision pronounced the measure unconstitutional and said that the act deprived both white persons and Negroes of their vested right to use, rent and sell their property as they saw fit.

N Y C JOURNAL

SEPTEMBER 28, 1917

Offers Southampton Lots Near Wealthy To "Negroes Only"

Southampton, L. I., Sept. 28.—Large signs placed on the Hotel Mawaga, fronting on Lake Agawam, near the homes of several wealthy Summer colonists, read thus:

"Lots for Sale to Colored People Only—No Restrictions."

For Rent: Flats and Rooms to Colored Families Only."

"Lodging House. Quick Lunch."

The latter sign replaced the hotel sign over the front entrance.

The hotel is owned by Miss Alice Lye. It will lose its liquor license next Monday, through action by the Town Excise Board. Neighbors say Miss Lye and her manager, Ernest Extance, believe the Mawaga was discriminated against and that her apparent resolve to sell to negroes is her method of revenge. The hotel has extensive grounds, which will be cut up into lots.

"The signs speak for themselves," was the only comment by Miss Lye to-day.

Segregation — 1917

The Real Estate Question

CHICAGO IS QUITE SOME DISTANCE north of the Mason and Dixon line and one would hardly expect to find here even a handful of intelligent business men trying to ape the methods southern "crackers" used in their palmiest days. But, we regret to say, this handful is here, and like a rotten apple in a barrel of good ones, their mission seems to be to spoil all they come in contact with. The real estate men in Hyde Park and Woodlawn who are responsible for the untruths and misrepresentations about the advent of Colored people into these sections have, perhaps, made thousands of dollars out of these same people they are now maligning.

There was a time, and not very long ago, when the Colored people owned very little property in Chicago; today their holdings run up into the hundreds of thousands of dollars, and their homes and business places are dotted all over the city. White people must have sold them these places—none of them were stolen or confiscated. White men, with their superior (?) knowledge, drove a good bargain, made their profit and went their way rejoicing until another lamb was found to fleece. Foolishly—if you wish to call it that—we bought everything we could afford to buy and some that we couldn't afford to buy, especially on the south side, and now when the real estate dealers wake up to the fact that they have parted with some of the most valuable holdings in the city of Chicago, a great deal of it through prejudice, they put up a howl and beg to be saved by legislation from further encroachment by the Colored people on what they term their sacred rights. Chicago Defender 4/14/17.

There is no law in the world to compel a man to sell his property to a white, black, brown or yellow man. So why this tempest in a teacup? The one way to keep us from buying property in a certain section is for those who own the property not to sell to us. But the white man is money mad; the sight of a dollar slipping away from him turns him crazy. Though he be prejudiced, he finds no difference in the purchasing value of the white man's dollar and the Colored man's dollar; as for his closet friend or his neighbor, he permits him to shift for himself.

To the gentlemen who are behind this movement of segregation and who have asked for a conference with the leaders of the Colored race to thresh out the subject, we would say to sweep the dirt from your own doorstep before going to that of your neighbor. It cannot be true that property values depreciate because a Colored man is the owner, for he is proud of his holdings and he keeps things in excellent repair; the depreciation lies only in the white man's mind. As to rented property, the places are never turned over to us until they are unfit for habitation or because some greedy landlord can extort more rent from black than from white. We do not loathe these northern disciples of Blease, Vardaman, Tillman and men of their ilk; we pity them, here in the state that gave the world a Lincoln, for them to be sleeping so soundly with the light of the morning shining full in their faces.

Attempt to Segregate Will Be Bitterly Fought

BY A STAFF CORRESPONDENT

The white real estate dealers have made a very strenuous effort to start a segregation movement in this city. Through much publicity by the downtown daily papers they have been able to create quite a stir and last week they went so far as to offer to hold a conference Monday in the offices of the Chicago Realty Board, in which they would try and come to some agreement with the real estate dealers who were members of the Race.

Chicago Defender 4/14/17.

Big Men Present.

Many big men of both races were present. Jesse Binga, banker; Robert S. Abbott, editor of the Chicago Defender; A. L. Jackson, secretary of the Wabash branch of the Y. M. C. A.; Faulkner of Faulkner & Cook real estate firm; Messrs. Anderson and Terrell of the real estate firm of that name; James H. Porter, Eugene Manns, George Jackson and others were there in the interest of the Race. Several bankers, real estate loan men, and real estate dealers represented the whites, among whom were L. C. Orr, L. M. Smith, Ivan Ackley, John Carroll, Yandorlf, Cramer and a representative from McKey & Pouge. Also there were three newspaper reporters from the downtown papers, two were women. One thing noticeable was that during the speeches of the white men their pens were busy, but as soon as any member of the Race took the floor they laid their pads and pens down.

The Proposition

L. C. Orr said he wanted the real estate agents to quit selling to Negroes in blocks where more than 75 per cent of the whites resided. He favored the law which was passed in St. Louis. He asked those of the Race in the real estate business to quit selling to their own race in districts where the greater portion was white. He continued to use the word "desist."

Mr. Faulkner said it was a poor proposition. A. L. Jackson told his hearers that he did not like the word "desist" and emphasized the fact that the question COULD NOT BE REGULATED BY THE BOARD, which seemed to be prejudiced. James H. Porter, while not answering the white men direct, put a few questions to them which caused them to get uneasy. Porter wanted to know if they would proceed to treat the other nationalities in this manner, especially the Jew. Robert S. Abbott said he was there in the inetrest of the Race and that nothing less than JUSTICE. Walter B. Anderson and William H. Terrell also told the "board" that they themselves were responsible for the situation more than any one else and not the Negro real estate men. That the men totally responsible for the situation were those who had refused to loan money on good property values simply because the dealers were not white. Again the men that were the real cause of our Race getting into these so-called white blocks were the white agents themselves. The meeting ended only to the disgust of all Tuesday, when all the morning and evening papers came out with the just the opposite kind of stories as to the settlement. There had been no settlement and will not be any.

Chicago Defender 4/14/17.

A Defender reporter called on Anderson and Terrell, who explained the situation. Mr. Terrell said: "We only went down to the meeting to see what they had to say. We are not now, nor never will be a party to any discrimination. The whole trouble is that the white real estate agents want to eliminate those of us who are not white from real estate business. There are certain white concerns who have sold more real estate to our people than all the Colored real estate men put together. However, none of them were at the meeting.

"We have been to these real estate loan men for loans on property in the Second ward which has a value of $200 per front foot, and have been turned down. They won't listen to any proposition where our people are to be benefited by the deal.

"We have 150 calls a day for flats, and cannot supply the demand. There is nobody that wants to live like cattle. We demand that we buy and sell where we choose."

Mr. Anderson says it is not for today alone that we are fighting, but for tomorrow. If these fellows have their way, our future generation, among whom may be many millionaires, would not be able to buy a piece of property in the loop. Neither would any doctor, dressmaker or other business man be able to rent in that part of the town. We are opposed to it and will fight it.

Other real estate men voiced the same opinion. Many say they will not attend the next meeting. The whole matter is a case of prejudice in a nutshell. The reporter found out that in one block on State street values had jumped nearly 200 per cent in five years. Yet when he confronted a white real estate dealer the latter was not able to explain why they said: "Negroes depreciate the value," when this entire block is filled with our business men.

SUN

Baltimore, Md.

MAR 17 1917

J. G. SCHMIDLAPP TO AID

Cincinnati Capitalist Interested In City's Plans For Negroes.

BUILT MODEL HOMES FOR THEM

System A Success There, He Says. Offers To Send Planner And Manager Here.

J. G. Schmidlapp, of Cincinnati, capitalist, railroad director and philanthropist, was the guest of Mayor Preston at the City Hall yesterday afternoon and met former Judge Alfred S. Niles, Dr. Henry Barton Jacobs and Francis M. Jencks, of the committee recently appointed to study housing and living conditions among the negroes of Baltimore.

Mr. Schmidlapp financed the building in Cincinnati of a system of model homes for both races, and gave the Mayor and members of the committee some valuable suggestions as to how the local situation among negroes should be handled. The Model Homes Company, of which he is the founder and head, is a $500,000 concern, and has 220 negro families in a settlement in the hills of Cincinnati. In the most densely settled part of the development there are 68 families in an area of 1¼ acres.

The plan works out well in Cincinnati, where the negro population numbers 24,000, and Mr. Schmidlapp said he had no doubt but that it would prove successful in Baltimore. "You can start without expense," he told the Mayor and the committee, "and the investment can be made a safe one." His advice was to "go out and find vacant land in a neighborhood where a proper development can take place and where negroes can afford to live." He said this could be found in Baltimore, as in any other growing city.

Mr. Schmidlapp said he would be glad to assist Baltimore in working out the problem here, and offered the Mayor the services of his manager and planner, Frank Hamer. Another bit of advice Mr. Schmidlapp gave was "Find some one who is willing and able to take a personal interest in the movement." He spoke from personal experience. He said the negro population of any large community increases by immigration.

Mr. Jencks, who is giving the movement personal attention, said he had looked into several suburban tracts that appeared to be available for negro development, and spoke of sites in contemplation by Morgan College for its proposed settlement, which seemed to interest Mr. Schmidlapp.

Mr. Schmidlapp came to Baltimore to attend the funeral of Oscar G. Murray, chairman of the board of directors of the Baltimore and Ohio Railroad, and an associate. He was a guest at night at a dinner Dr. Clement A. Penrose gave at the Maryland Club.

The Washington apartment house plan for negroes was discussed at a dinner given by Dr. Henry Barton Jacobs, attended by members of the housing committee and by representatives of the company that planned and built the Washington houses.

Segregation Laws Declared Unconstitutional.

We are publishing this week a synopsis of the decision of the Supreme Court of the United States delivered by Justice Day last Monday declaring the segregation ordinances recently passed by a number of Southern cities unconstitutional, null and void. This is a fit companion decision to run with the Okla. opinion annulling the grandfather clauses of State Constitutions. While Justice Day's conclusions are sound to the core and leave no ground upon which to base any similar future action it is not up to the great deliverance of Chief Justice Clark of our State Supreme Court on the same subject. Judge Clark's opinion was one of the finest ever delivered by any Court in the Country.

UNDER THE DOME OF THE CAPITOL.

The writer was present last week when Mr. Moorfield Storey argued the Louisville Segregation Ordinance Case for the National Association for the Advancement of Colored People before the United States Supreme Court at Washington. There were fifteen or twenty representative colored men at the hearing. We should like to have been possessed of the power to sound the inmost thoughts of these colored men and of the white people present and of the Justices on the bench while the two lawyers who pled the case for the other side were talking. The writer for himself must confess that at times he experienced a strange sensation while listening to the Negro discussed before this highest tribunal in the land as something just outside of American citizenship; indeed, as something just below humanity. New York Age. 5/3/17.

Both the lawyers for the other side appeared to be able men, and doubtless the reasons they gave were the best that could be given to bolster up and excuse so bad a law, so undemocratic, so unconstitutional a law. But one not familiar with the case might have thought that they were pleading to have the homes of the white people of the South protected from wild beasts or against the presence of lepers. And as we sat there we wondered how far the presence of so many respectable and intelligent colored men would go to offset such an argument.

At two o'clock Chief Justice White announced a recess of thirty minutes. The writer and two other American citizens, one colored and the other white, went down in the basement to the public lunch room to get something to eat. We were met by an employee who told us we could not be served. When asked why, he informed us that Senator Overman (of North Carolina), on becoming chairman of the committee that has charge of the Capitol and grounds, issued an order that no colored person should be served in either of the lunch rooms.

This, under the very dome of the Capitol of the greatest democracy in the world! It was a thing to arouse all the hates and furies and put murder in a man's heart.

We went across to the Congressional Library and were served just as any other American citizens. The man who is responsible for the rules that govern the Library building is from the civilized state of Massachusetts.

At two-thirty we returned to the Court and heard Mr. Storey's strong plea for right and justice and humanity, and the writer felt that the better and greater part of this nation does stand for right and justice, and will ultimately see that right and justice are done. The Overmans and the Vardamans and the others of their ilk who are now in high places will not and cannot dominate long. They are riding now just as their predecessors did in the fifties, and they are going to fall just the same.

The basic spirit of America is democracy, and though that spirit is often thwarted it is constantly struggling forward and will finally prevail. When the opposing forces were at the height of their strength, the better part of this nation arose and struck down slavery. The better part of this nation changed the organic law of the land and made us citizens. And the better part of this nation is going to see that we are given full and equal justice.

The Overmans and the Vardamans and all like them will pass away, the great spirit of democracy will live and press forward forever. It only remains for us to try to keep pace with it, and we shall surely come into our own. That is my faith.

GETTING AT THE HEART OF THE SEGREGATION QUESTION

+ Guide

It has been pretty well understood by both the propagators and opposers of segregation that the declared purposes of the segregation ordinances to "prevent conflict and ill-feeling between the white and colored races . . . and to preserve the public peace and promote the general welfare by making reasonable provisions requiring as far as practicable, the use of separate blocks for residences, places of abode and places of assembly by white and colored people respectively," were merely a specious solution of the problems of those who wished to Ghetto the Negro. Segregation by legal statute never could have accomplished but one condition, a state of affairs aptly described by Mr Norman B. Randolph, a prominent social worker of Richmond, in a recent interview as follows:

"I, for one, do not believe the Negroes have been treated fairly in the matter of segregation and, if the truth must be told, that is very likely the cause of the trouble. All colored sections of the city are badly located with respect to living conditions, and not any of them are large enough to accommodate the increasing numbers of colored folks. The colored people want more room, and they should have it. I believe that one of the best things that the city could do under the circumstances would be at once to enlarge the segregated areas. This, I think, would do more to avoid trouble than any other one thing. There are sections of the city where colored people are housed that are not fit for anything at all to live in, and I cannot blame them for rebelling at conditions.

"Then the houses and various abodes—some of them cannot be called houses—of the Negroes are in the large majority of instances mere shacks and scarcely any of them are down-to-date. This is largely the fault of the real estate men. They fear to even suggest to their clients improvements that are not absolutely necessary to prevent the places from falling into decay."

The nightmare of negrophobists is that colored people want to live among white people, an assumption conceived in ignorance and conceit. Mr. Randolph disposes of that fallacy when she say that "no one believes that the large majority of colored residents . . . want to live in the white sections. Be it said to the credit of most of them there is a sense of propriety among the better class of colored folk which itself will forbid any attempt at serious encroachments on the white sections even if the segregation ordinance is no longer a deterring factor." And further support of this true attitude of the Negro is to be found in an article by Mr. William H. Baldwin 3d, in the current issue of "The Survey," who says: "Anyone who expects an immediate inundation of his residential section by hordes of Negroes as a result of the Supreme Court's decision forgets, first, that the great bulk of colored people is among the poorer classes in the United States and, second, that those Negroes who command the necessary wealth to live comfortably are just as proud as the proudest white, and have no intention of forcing themselves in where they are not wanted. What they do seek is to live in as decent surroundings as their incomes permit, and not be forced to live with the lowest members of their race in some district which the white authorities condemn through utter indifference to reek in neglected filth."

Negroes opposed segregation because they knew that whenever a section was set aside for them that was the end of municipal improvements in that section. To the utter shame of the South, and of Norfolk especially, that is to this day true of sections in which Negroes voluntarily segregate themselves. The South can avoid racial conflicts without resorting to segregation laws by simply following a sensible suggestion that Mr. Baldwin makes in his article, that—"the best thing a city can do if it is set on keeping the races apart is to see to it that the Negro sections are kept clean, well ordered and attractive places in which to live."

THE ATLANTA SEGREGATION DECREE

The supreme court ruling adverse to race segregation is one of the most significant decrees rendered by that body touching the rights of one class with respect to its relations to another. The finding upsets some local legislation already in force, and quashes more movements for similar undertakings in law-making elsewhere. It goes farther, however—it sounds a forceful warning to the propagandists of "Jim Crow" theories throughout the country.

Without doubt the court's decree will call a halt in a phase of statute-enactment which has become quite popular in recent years. While not denying the legality of certain efforts at race separation, the supreme court warns the nation that equal rights must be guaranteed in every such project, and that no effort shall abrogate to itself a degree of power bringing it into conflict with the federal constitution.

As a matter of fact, nearly all "Jim Crow" laws infringe upon the citizen's constitutional rights. The victim now has opportunity to safeguard his position to a degree not before apparent.

DIVISION OF BEHAVIORAL SCIENCE RESEARCH REEL 7

Segregation – 1917

SEGREGATION RULED OUT.

When the United States Supreme Court on last Monday unanimously decreed that race segregation by statute is unconstitutional it removed the legal status of the most insidious and sinister barrier to the economic advancement and well-being of the ten million Negroes in this country that their enemies have been able to devise since the emancipation of the race.

Segregation laws were designed to further the ends and make more effective, such laws regulating the social intercourse of the races as separate schools and separate car laws. After the courts began to uphold these laws upon the technicality of their provisions for equal accommodations and equal privileges, segregation by statute became a natural sequence to them, with the view of making them more effective by (1) retarding the Negroes' economic advancement and thus making him more and more unattractive as a social being and (2) by legally branding him as an inferior social being not entitled to ordinary human rights. That is the psychology of segregation. Carried to its logical ends segregation would have landed the American Negroes right where the most oppressed Russian peasants were before the recent revolution in that country.

Under the operation of segregation ordinances in Baltimore, Richmond, Atlanta, Norfolk, St. Louis, Louisville and other Southern cities Negroes have been unmercifully exploited by real estate speculators, property in restricted districts being advanced to prohibitive prices both as to rents and ownership. Housing conditions in the cities and larger towns have reached a serious stage, and a movement organized in North Carolina for "rural land segregation" had spread over the entire South. The real object of the latter movement was to prevent the ownership of farms by Negroes in order to maintain an inexhaustible supply of tenants and laborers.

We have not seen a full copy of the decision and it happens that the Associated Press sent out very meager extracts from it. We feel safe in assuming, however, that the decision of the court is so far-reaching and conclusive that it abrogates absolutely every municipal ordinance in the country that attempts to accomplish segregation of the races, as far as ownership or tenancy of property is concerned. While the segregation ordinances of various cities differ in the letter, they are as one in purpose and it is the purpose of the law that the court aimed to invalidate. The Supreme Court of the United States would hardly decree that segregation is unconstitutional and leave any grounds upon which it could in any form reestablish legal status. It is likewise improbable that the Louisville ordinance was passed until its framers had satisfied themselves that every possible precaution had been taken that would likely insure its approval by the Supreme Court.

In rendering the decision, Justice Day referred to jim crow laws that have been held valid by the courts on the basis of **equal accommodations,** and observed that even such legislation has its limitations. It is to be inferred that whenever it is established to the satisfaction of the Supreme Court that equal accommodations and equal privileges are not afforded under these laws they "run counter to the limitations of the federal constitution," and "in view of the rights secured by the fourteenth amendment . . . . . such legislation . . . . . cannot be sustained where the exercise of authority exceeds the restraints of the constitution."

The jim crow car laws are the nastiest, most loathsome humiliation that the South has been able to fasten permanently upon the Negro. Not the letter of the jim crow laws; in letter and theory they are fair and reasonable, but in spirit and practice they are neither fair nor reasonable. And that is not all. If it had been intended or desired by the makers of the jim crow laws that Negroes should have equal accommodations and privileges in public conveyances there never would have been any jim crow laws. The Supreme Court and other high courts have held these laws valid on the basis of equal accommodations and privileges, but it is apparent that these courts merely assumed from the letter of the laws that they provided equal accommodations and privileges. As a matter of fact they do not as administered provide in a single instance equal accommodations and privileges, nor do they intend to provide them.

Like it has met squarely and decreed the unconstitutionality of the "Grandfather Clause" and race Segregation, the United States Supreme Court must eventually meet squarely and decid whether the present separate car laws of the country, which are designed obviously to damn and degrade ten million of Americans of color are to continue to have legal status as at present administered. These laws may be designed to promote the peaceful relations of the races, but they in reality promote only a peaceful and satisfactory state of mind upon the part of those persons who desire to see Negroes denied certain rights created and supposed to be protected by the federal constitution, and made to occupy a certain degraded position in our social and economic structures in keeping with prejudiced, undemocratic and unAmerican principles.

We are hopeful and optimistic. The segregation decision of 1917 is a far step from the Dred Scott decision of 1857. And it must be remembered that the decision was handed down by a Supreme Court the majority of whose members are Democrats, and whose Chief Justice is a native Southerner. The decision is unique and remarkable also for the reason that never before in the history of the Supreme Court has that tribunal reached a unanimous decision upon any question upholding the rights of the Negro.

A VITAL DECISION.

The New York election, the Italian disaster and the swift changes in the Russian situation took the public attention away from one of the most important decisions ever rendered by the Supreme Court. This decision on the Louisville case makes segregation unconstitutional and nullifies all such ordinances as have been passed by Southern and border cities.

New York Age 11/15/17

The decision was vital because so much for the Negro depended upon it. Had the case been lost, there is no doubt that eventually segregation ordinances would have been passed by every city in the country where there was a considerable proportion of colored population, North and South. As it is, there has been erected by the ultimate law-making body of the nation a permanent barrier against the forces that were fast encroaching upon one of the most essential rights of the Negro as an American citizen.

The New York dailies that have commented on the decision, with the exception of the *Mail,* have commended it. The *Mail* must have imported a special Negro-hating writer to do its editorial. He began by stating that segregation ordinances are not discriminatory because they affect white and black alike. In his argument before the Supreme Court Mr. Moorfield Storey fully answered that fallacious argument when he said:

> In the present case it is contended that the difficulty is met by the provision that white persons shall not occupy buildings in "colored blocks." As well argue that an ordinance which prevented a denizen of the Five Points from moving into Fifth Avenue could be sustained because it forbade the dweller on Fifth Avenue to move into the Five Points. Anatole France has commented upon the absolute justice of the laws which prevent rich and poor alike from sleeping under the arches of the bridges which cross the Seine and from begging in the public streets. A law which forbids a Negro to rise is not made just because forbids a white man to fall.

This decision is a signal victory for the race, and an achievement he Advancement Association which carried the case up to the ne Court.

UNCONSCIOUS SEGREGATION.

In an editorial, our contemporary, ***The Fraternal Clarion,*** in its last issue, criticised that majority of the Negro population that is intolerant of race ostracisms.

In this thousand word opinion occur these expressions: "Whenever we desire to segregate ourselves for any reason, we can bring to bear the most eloquent and logical arguments in support of our actions on a plea of race pride and race consciousness. But when the proposition to segregate us comes from outside the race, we condemn it as 'jim-crowism'." *St Louis Argus. 5/11/17.*

We ure glad the ***Clarion*** came so clarion-like with these statements; first, because it shows how calloused are its sensibilities; secondly; because it presents possible opportunity for enlightment. Every word of the quoted sentences are true. Aggregation or segregation, which ever you choose to name it, is respectively tolerable or intolerable to self-respecting, manly men just to the extent that it is voluntary or by command. Two men leave a building; one goes because he wants to go; the other leaves because he is ordered out. ***The Clarion*** sees no differences in the two instances, because both men go out. We lie down on the grass from a desire to recline; the ***Clarion*** is knocked down, but thinks it has no more cause for affront than we, because we are both equally down.

Such a spirit as this quotation reveals is the spirit of innate slavery. It is the spirit that will swallow shame and grin for a drink to wash it down. It is a spirit that invites and encourages he degradation of our race. It inspires the Vardamans, Tillmans and Cole Bleases to invent fresh debasements and it discourages and sickens those who would see us free and respected.

Are we harsh? Jesus was harsh when he scourged the money-changers from the Temple. There are offenses that compel harshness. Here is unspeakable servility spread before the eyes of the youth of our race as an instruction; and nothing that is necessary to discredit it can be too severe.

In this editorial, the sole defect of our magnificent public school system that the late Edward Long, as superintendent of schools, said he deeply deplored—separation of the races—is exulted over. It lauds associations of the name of Jesus Christ with the curse of the American color-line. It cries loudly for a "colored hospital" and "colored parks." It insists on making the colored man a cheerful civic parasite. It extols proscription of self. It is intolerable.

We are opposed to segregation of any kind based on color. It is bad in its mildest form. It is undemocratic and unAmerican in principle. St. Louis has not fully recovered from its evil effects of a little more than a year ago. Law is one thing and sentiment is another. If we do not profit by past experience, we should have our sensibilities quickened. Segregation takes on its most dangerous form when encouched into law. The Negro is in a most pitable condition when he asks for it and does not know it.

There is at present, a "colored ward,' in the City Hospital. This is a condition which we did not ask for. If it must be, why not appoint Negro doctors and nurses to look after its patients?

JUDGE DYER'S DECISION WAS RIGHT.

The temporary injunction against the segregation ordinance which was issued by Federal Judge Dyer shortly after it had been passed by an overwhelming majority at the iniative election of February 29th, 1916, will now be permanent, as the United States Supreme Court has declared the Louisville segregation law invalid.

The decision of the highest tribunal in the land effects similar ordinances which have been passed in Baltimore, Richmond, St. Louis and many other southern cities where the heel of prejudice seeks to trample manhood rights of the colored citizens of this country.

The fearless and manly stand of Judge Dyer in granting temporary injuction will always stand as a monument in the hearts and minds of the colored citizens of St. Louis, and the valiant fight for right which was waged by the St. Louis Post-Dispatch will not soon be forgotten.

In the face of the most adverse criticism from the "prejudice mongers" the Post-Dispatch fought against the nefarious proposition to the end, and when the returns of the election showed that the ordinance had carried by more than 30,000, the Post still contended that the law would not stand the test of the higher Court, and in its issue of March 1st, the day after the election, the following editorial appeared. "The opponents of segregation suffered an honorable defeat in Tuesday's election. They stood for principle against overwhelming forces of power, interests and prejudice. A minority with right on its side is better than a majority supporting wrong' It will be justified in the long run."

Judge Dyer in issuing the temporary injunction stated that the only reason he then and there would not make the injunction permanent, was because of the fact that the Louisville case was up for decision before the Supreme Court.

Now that America has entered a war for Liberty and Democracy, and her colored citizens are giving freely their fathers, sons and brothers as well as their money in order that the world will be safe for Democracy, what will be the next scheme of the color-phobiaists to stultify our rights as American citizens? They have tried everything mean under the Sun and though we have gained a signal victory in the segregation fight, we dare not feel secure, for even such—the seeds of prejudice though uprooted in certain places, will be sure to start growing in others.

The National Association for the Advancement of Colored People must be given credit for its share in the victory. It was through this Association that the best legal talent that the country affords was engaged to defend us before the Supreme Court.

Every race paper in the land did its bit toward helping to win the victory, and now, more than ever, colored men and women should realize the value of the newspapers published by members of the race.

NEW SITE NOT SELECTED

TRENTON N. J. GAZETTE
JULY 28. 1917

The problem of providing educational facilities for the large number of colored children who have come into the city during the past few months from the south was considered yesterday afternoon at a conference between the city commission and members of the grounds and buildings committee of the board of education. The conference was called by the commission. The representatives of the school board present were Samuel H. Bullock and Henry C. Buchanan and Robert C. Belville, the secretary.

Colored families, attracted to the north by favorable labor conditions, have settled in large numbers in East Trenton and in consequence the problem of accommodating the children in the schools has developed. It was the purpose of the school board to solve it by the erection of portable buildings on the site of the old colored cemetery. This plan, however, produced a storm of protest from residents of East Trenton and threats have even been made to destroy the buildings.

The conference was called by the commission with a view toward an amicable settlement of the trouble. In view of the fact that there is such decided opposition to the location of the school buildings on the cemetery tract some other site will be decided upon.

This has not as yet been selected, but it will be in a section of the city inhabited largely by colored residents, so that there will be a minimum of opposition.

NEGRO SEGREGATION RULE IS ENJOINED

NEW ORLEANS TIMES PICAYUNE
AUGUST 18. 1917

Evelyn Martin Files Suit Against City of New Orleans in District Court.

The second ordinance of the city to segregate negroes in the restricted district was temporarily enjoined Friday when Judge Skinner issued an injunction on the supplemental petition of Evelyn Martin vs the City of New Orleans, filed in the Civil District Court The original petition, filed May 29, 1917 asked for an injunction against the enforcement of City Ordinance No. 4118, C. C. series. The supplemental petition entered Friday said that since the filing of the first plea the Supreme Court of Louisiana had declared the first ordinance unconstitutional and void.

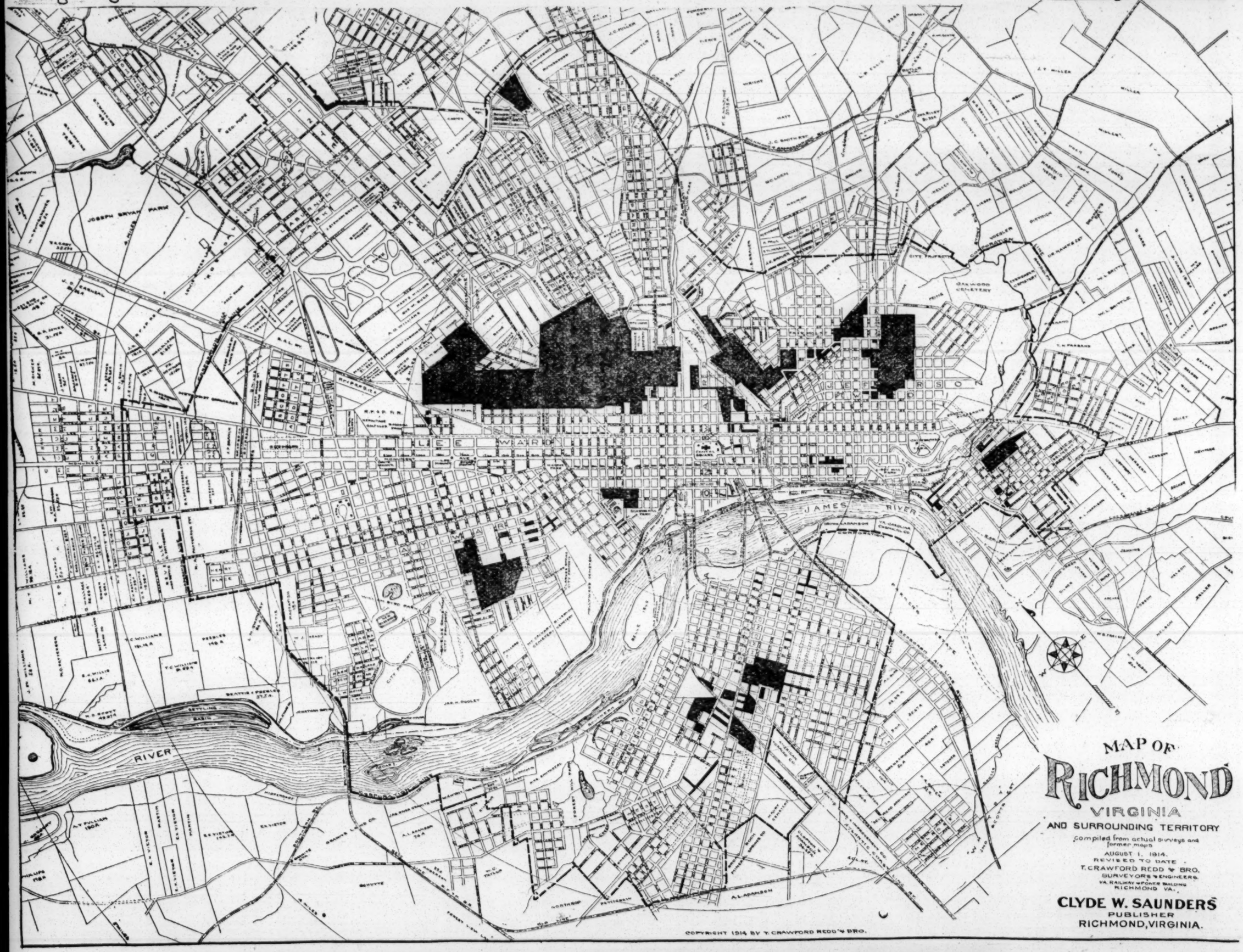
The new ordinance, No. 4485, passed with a view to accomplishing the segregation of negro prostitutes, is alleged in the latest petition of the plaintiff to be in violation of the United States and Louisiana constitutions, in that it is said to be in restraint of the liberties of the plaintiff without public utility motives to justify "pretended police power."

Laws cited by the petition as being violated by the ordinance are the fourteenth amendment to and Article 1, Section 10 of the United States Constitution and Section 5 of the state Constitution. The city ordinance is termed "oppressive, illegal, retroactive class legislation and violative of obligations of contract and vested rights."

CHANGE LOCATION OF SCHOOLS FOR ~~COLORED~~ YOUTHS

COMMISSION AND SCHOOL BOARD MEMBERS CONFER ON PROBLEM.

Segregation – 1917



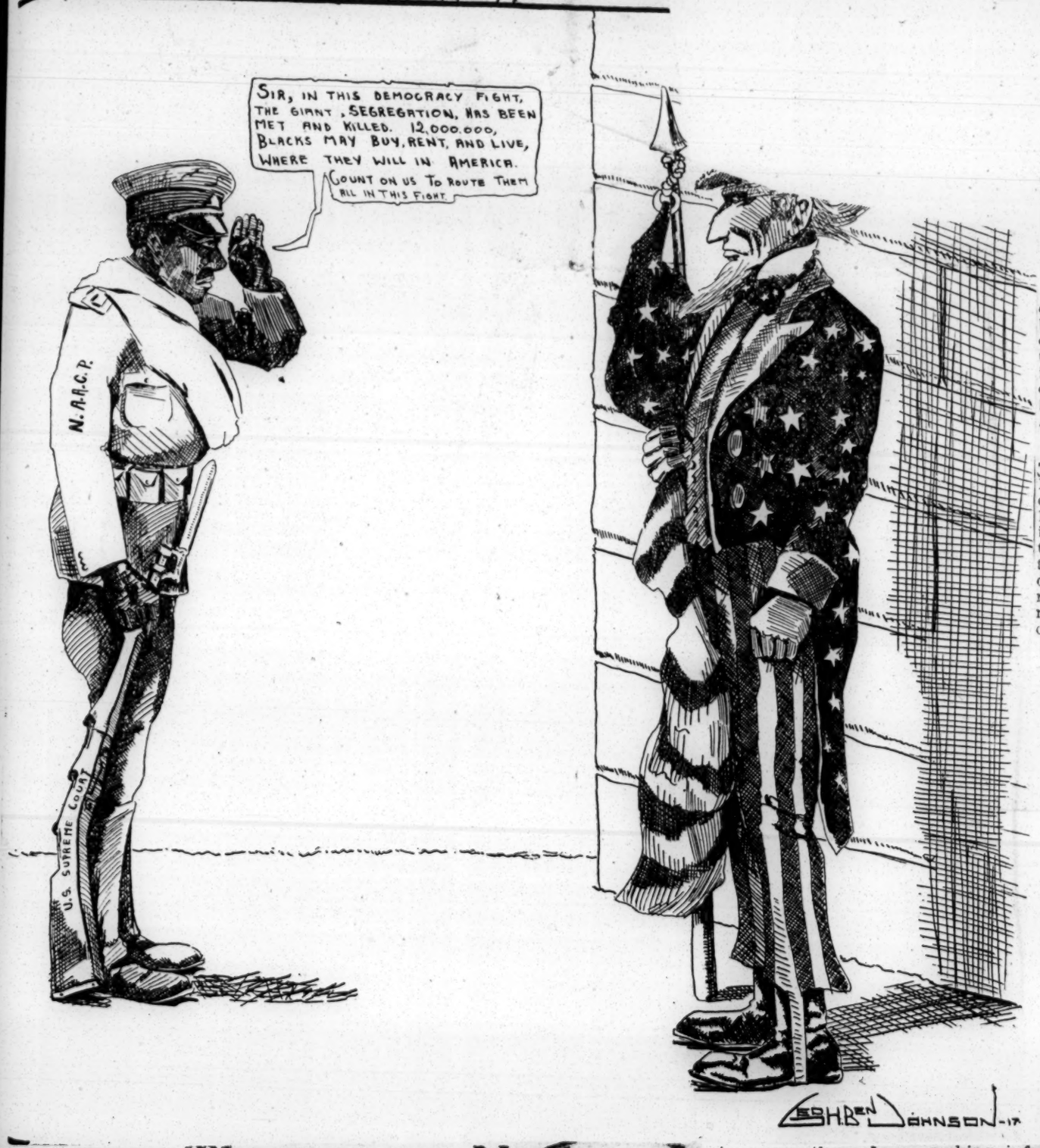
Map of the City of Richmond, Virginia,

Richmond Planet 11/7/17

Black spaces showing segregated district in which colored reside.

THE ANNOUNC

Richmond Planet 11-17-17


SIR, IN THIS DEMOCRACY FIGHT, THE GIANT, SEGREGATION, HAS BEEN MET AND KILLED. 12,000,000, BLACKS MAY BUY, RENT, AND LIVE, WHERE THEY WILL IN AMERICA.
COUNT ON US TO ROUTE THEM ALL IN THIS FIGHT.
N.A.A.C.P.
U.S. SUPREME COURT
H. BEN JOHNSON-17

Mayor Thompson Nails Southern Fabrication

Chicago Defender 9/29/17

In an effort to deter members of the Race from leaving the frightful environments of the south and seek better conditions in the north, "the Atlanta Georgian," in a recent issue, published the alarming news that the larger northern cities have become much concerned about the great number of Race men and women who are coming north, and are seeking information with a view to enacting segregating ordinances. The city of Chicago is mentioned as one of the cities whose officials were particularly anxious to get information on the subject. Here is the scare-head article:

NORTHERN CITIES ASK SEGREGATION ADVICE

Officials of the cities of Philadelphia and Chicago have just written to Mayor Candler in search of information which will aid them in the solution of the problem of segregating the Negroes and whites in their communities. This problem, which heretofore had been insignificant, owing to the small number of residents of the Negro race in either community, has recently become serious with them, caused by the influx of thousands of Negro laborers and their families to the North.

Chicago requested all information bearing on the subject. Philadelphia admits the problem is serious and that something must be done immediately.

Albert D. Thomson, secretary to the mayor, was much amused by the requests and has set about gathering all information on the subject obtainable for the enlightenment of the second and third cities of the Union."

The Defender representative called on Alderman Anderson and requested him to ascertain whether or not any official in Chicago had been authorized to obtain the information mentioned in the article. The alderman immediately wrote Mayor Thompson as follows:

Ald. Anderson Writes to Chicago's Mayor

"Sept. 21, 1917.—Hon. William Hale Thompson, Mayor, City of Chicago.—My Dear Mr. Mayor: The editor of our local weekly paper, the Chicago Defender, has been in to see me regarding the publication of an article in the Atlanta Georgian, which recites that the officials of the cities of Philadelphia and Chicago had written to the mayor of Atlanta in search of information which will aid in the solution of the segregation of the whites in their respective communities.

"The article further says that Chicago in particular requested all the information bearing on the subject, with a view to drafting appropriate ordinances to control the situation.

"I am sure that no authority has been given any depatment or official by you as chief executive of the city, asking for such information, with the end in view as indicated by the published article.

"May I not ask that you give me a reply to this letter, advising me as to whether or not any orders or directions have been given to any official (or officials) requesting that such information be obtained from officials in Atlanta with the object in view, as indicated by the published article in the Atlanta Georgian?

"An early reply will be appreciated

Yours very truly,

"LOUIS B. ANDERSON,
"Alderman Second Ward."

Mayor Thompson's Reply

"Sept. 25, 1917.—Hon. Louis B. Anderson, Alderman Second Ward.—Dear Sir: I am writing to acknowledge receipt of your letter of inquiry of September 21.

"I made no inquiry of the mayor of Atlanta or any one else for information to aid in the solution of the segregation of Colored people from white people in their respective communities. So far as I know, and I believe my information is accurate, no such inquiry has been made by any department of the city government. Certainly I have not contemplated and do not contemplate such inquiry.

"Yours very truly,

"WM. HALE THOMPSON,
"Signed) Mayor."

"I also called on the chief of the bureau of vital statistics," said the alderman, "and when I asked him about the matter, he told me that he knew nothing about it. In addition I talked with nearly two-thirds of the members of the city council, seeking their views on the subject, and they to a man expressed themselves as unalterably opposed to any scheme that would in the slightest degree appear to give sanction to preventing any citizen or class of citizens from living in any part of the city where they so desired. This, in my opinion, is nothing more or less than a part of the plan of the southern press to convey the idea that the Negroes who contemplated going to the north would be 'jumping out of the frying pan into the fire.' In this case they have fallen flat, as the mayor's letter plainly indicates."

Segregation of Negroes Sought By Improvers

Draft of Ordinance Before Oakland Council Submitted to Attorney.

SAN FRANCISCO CAL EXAMINER
AUGUST 28. 1917

Draft of an ordinance requiring the use of separate residential blocks for negroes was introduced in Oakland City Council yesterday morning by the Santa Fe Improvement Club. It was referred to City Attorney Paul C. Morf for a report as to its legality.

According to the communication accompanying the draft signed by Orville B. Caldwell, president of the club, negro families are purchasing and renting homes in the Santa Fe and Ponier tracts, and the residents are fearful that this condition will cause the district to deteriorate.

The ordinance is described as one "to prevent ill feeling between white and colored races in Oakland and to preserve the public peace and promote the general welfare by making reasonable provisions requiring the use of separate blocks for residences for white and colored people."

NEGRESS ASKS BIG PROFIT ON THIS HOUSE SHE BOUGHT; NORWOODITES INDIGNANT.

CINCINNATI OHIO UNION
Sept 6 1917

Rose Ella Hall, Negress, has thrown residents of Norwood in the vicinity of Ida avenue into a quandry and the question, "To pay or not to pay" is worrying the good folk of the Cincinnati suburb.

Early last week property belonging to Gus Lasance, 2529 Ida avenue, was sold to the Hall woman, and immediately a protest was registered by neighbors. Several indignation meetings were held and an attorney was engaged to see what could be done.

Segregation - 1917

WE SHOULD KNOW OUR FRIENDS

Because our friends among the white people—and we know they are many—are as mutes, and afraid to speak for right and justice; and, because the proposed segregation ordinances were aimed at the Negro, to stop his progress; and because The Censor a magazine published weekly, devoted to the general welfare of all the people took such high ground in opposing the passage of such a law in St. Louis, we feel that the readers of The Argus, especially in St. Louis, should know more the big, fair-minded men of this city. The editor and publisher of The Censor is G. C. Dyer, brother of the Hon. H. C. Dyer, Congressman from the Twelfth District of Missouri, and a nephew of Hon. D. P. Dyer, District Judge, United States Court. The following is what he had to say in regards to the recent Supreme Court decision in the Louisville Segregation case:

Segregation Knocked Out

It is with something more than ordinary satisfaction that I note the decision of the United States Supreme Court declaring the Negro segregation ordinance of Louisville, Ky., unconstitutional, null and void. This ruling of course must be interpreted as passing on the whole general question, and is especially applicable to St. Louis, since the St. Louis ordinance was modeled almost entirely on the Louisville law. When the segregation proposition was being agitated in St. Louis, the Censor took the position that the enactment of any such law would be vicious legislation; that no such provision of law as that setting up barriers beyond which a man might not come in choosing a place of abode, because of the mere color of his skin, would stand the test of reason and constitutional principles.

There is an axiom as old as law itself that 'good sense is good law.' In this instance this axiom is particularly applicable. The Negro may be an objectionable next door neighbor from some points of view. So may members of some other races; but if the foundation stones of this nation are to stand, we may not legally or justly say a man shall not live on the same block with us merely because we have a dislike for his individual or racial characteristics, if he obeys the law and demeans himself as a good citizen. It is not at all difficult to picture or imagine conditions under which the Negro, just as any other race, can make himself objectionable. When and if he does, there are laws under which he can be proceeded against, but it must be as an individual, not as a race.

The arguments on both sides of the question have been thrashed out to a frazzle—they need not even be recapitulated. The ruling has come, and it will find favor with most, if not all, reasonable and reasoning people. It clearly vindicates the position taken by the Censor. The federal court here, before which the matter was brought, issued a temporary injunction against the enforcement of the ordinance. It was understood that was done pending a final ruling by the U. S. Supreme Court on either the Louisville or the Baltimore ordinance. Presumably Judge Dyer here, will make his injunction permanent—possibly will have done so by the time this gets into print. The entire City of St. Louis is to be congratulated on the deliverance from a piece of stupendous folly.

LOUISVILLE LAW IS INVALID SAYS SUPREME COURT

St Louis Argus 11/9/17

Ruling Knocks Out Similar Ordinance Passed Under Initiative In St. Louis In 1916. Judge Dyer, Who Issued A Temporary Injunction Here, Now Expected To Make It Permanent.

CONGRESSMAN DYER AND ATTY. BLODGETT TO SPEAK MONDAY

Monster Meeting Will Be Held By The N. A. A. C. P. At Berea Presbyterian Church 3015 Pine at 8 p. m.

Washington, Nov. 5.—Louisville's Negro segregation ordinance was today declared unconstitutional by the Supreme Court. The decision affects similar ordinances in Baltimore, Richmond, St. Louis and many Southern cities.

In giving the opinion, Justice Day said:

"The authority of the State to pass laws in the exercise of the police power, having for their object the promotion of the public health, safety and welfare, is very broad and has been affirmed in numerous and recent decisions of this court. But it is equally well established that the police power, broad as it is, cannot justify the passage of a law or ordinance, which runs counter to the limitations of the Federal Constitution.

RECOGNIZES DIFFICULTY

"That there exists a serious and difficult problem arising from a feeling of race hostility which the law is powerless to control and to which it must give a measure of consideration, may be freely admitted. But this solution cannot be promoted by depriving citizens of their constitutional rights and privileges. The right which the ordinance annulled was the civil right of a white man to dispose of his property if he saw fit to do so to a person of color and of a Colored person to make such disposition to a white person.

"We think this attempt to prevent the alienation of the property in question to a person of color was not legitimate exercise of the police power of the State and is in direct violation of the Constitution."

HOW THE SUIT ORIGINATED

The case was the outgrowth of a suit instituted by Charles H. Buchanan, a real estate agent, to compel William Warley, Negro, to fulfill an alleged contract to purchase residence property.

Warley refused to carry out the contract because he found that the majority of the residents in the block were white and he could not live in the property if he bought it.

The Circuit Court of Jefferson County upheld the validity of the segregation ordinance and a similar decision was handed down in the Kentucky Court of Appeals. The case was then carried to the United States Supreme Court.

THE ST. LOUIS ORDINANCE

The local segregation law was passed at a special election February 29, 1916, by a vote of 52,220 for and 17,877 against. The ordinance received a majority in 25 of the city's 28 wards.

It proposed to forbid Negroes moving into a block where a majority of white persons lived. The election cost the city $75,000. It was placed before the people by initiative petitions circulated by the United Welfare Association. Many prominent citizens aided the Negroes who opposed its passage.

Among the most staunch opposers of the law was the Post-Dispatch, which refused to concede the right to segregate Negroes, even after the decision of the people, in the following editorial the day after the election:

"The opponents of segregation suffered an honorable defeat in Tuesday's election. They stood for principle against overwhelming forces of power, interest and prejudice. A minority with right on its side is better than a majority supporting wrong. It will be justified in the long run."

INJUNCTION GRANTED HERE

On a temporary injunction granted by Judge Dyer in the Federal Court, April 17, 1916, enforcement of the St. Louis ordinance has been under suspension pending the Supreme Court decision in the Louisville case.

In rendering his decision, Judge Dyer among other statements, said:

"Allusion has been made by counse here to the fact that I have lived in thi state a long time. For more than seventy years I have resided within sixty miles of where I sit today. My father came to this state from old Virginia where I was born, and settled in Lincoln county in 1841. He was the owner of Negroes I was raised with Negroes, but as God is my judge I have tried always all my life to be just to them, and God giving me help I will continue so to the end.

* * * Negroes do not ask for equality; whites do not ask for it; the Negroes only ask to have the same privilege as others have, the same rights under the law as others have. The plaintiffs are Negroes born in the United States; they are taxpayers of the City of St. Louis by virtue of which they are entitled under the Constitution to the same legal right as any white, native born, or any foreign born naturalized citizen of the United States. I would not be doing my duty if I hesitated to deal out equal justice to every one alike.

"I shall grant here a temporary injunction restraining the enforcement of these ordinances, and I only say temporary for the reason that it has been stated that there is a case involving a like question now before the Supreme Court of the United States. I will make this injunction temporary; otherwise but for the pendency of that case I would make it permanent."

In view of the above statements ther

DIVISION OF BEHAVIORAL SCIENCE RESEARCH REEL 7

is no doubt that Judge Dyer will mak the injunction permanent when the mo tion is made by the attorneys.

N. A. A. C. P. LEADS IN FIGHT

The National Association for the Ad vancement of Colored People has take the initiative in the fight against seg regation. In doing so it has had t fight the legal departments of all th cities having similar ordinances, althoug in St. Louis the city administration ha always claimed to be opposed to the bill The local branch was assisted by a com mittee of citizens and had the legal aid of Attorneys Wells H. Blodgett, Home G. Phillips, George L. Vaughn and others

CONGRESSMAN DYER AND ATTY. BLODGETT TO SPEAK MONDAY

The local branch of the N. A. A. C. P. has arranged for a monster meeting, to be given at the Berea Presbyterian church, 3015 Pine street, Monday evening, Nov. 12, beginning at 8 o'clock. The affair will be in commemoration of the Supreme Court decision. Congressman L. C. Dyer has been invited to speak on "Congress and the East St. Louis Riots." Attorney Wells H. Blodgett is expected to speak on "Segregation." Everybody is invited and it is expected that the church will be filled to capacity.

MINERVA AVENUE HOME OFFERED FOR RENT TO NEGROES

ST LOUIS MO POST-DISPATCH
SEPTEMBER 2, 1917

Owner First Says Her Advertisement Is Serious, Then That It Is a Joke.

HER NEIGHBORS AROUSED

Mrs. Wilhelmina Ryan Piqued Because Two Roomers Moved Two Doors Away.

MINERVA, 5974—Will rent my pretty home to some nice, clean colored family; 8 rooms, furnace, gas and electric; hot and cold water.

Residents in the 5900 block on Minerva avenue saw the foregoing advertisement in the Post-Dispatch last Thursday, and the following morning were considerably exercised when they saw a negro alight from a limousine which stopped in front of 5974 Minerva.

The negro was seen to address Mrs. Wilhelmina Ryan, owner of the property, and was heard to consult with her regarding alterations, in the event he should decide to rent the place.

An indignation meeting of neighbors then was held at the home of Dr. Edward Schrantz of 5938 Minerva avenue, Alderman from the Twenty-seventh Ward. Resolutions were drawn up and signed by them, asking Mrs. Ryan not to rent the place to negro tenants.

Delegation Gets No Satisfaction.

The delegation of neighbors, headed by Alderman Schrantz, called on Mrs. Ryan, but received no satisfaction. "I cannot live on bricks," she told them, "and cannot afford the alterations necessary before the place could be rented to whites."

The neighborhood delegation withdrew in despair.

A Post-Dispatch reporter, who also had noted the want ad, called upon Mrs. Ryan yesterday. She asserted that she intended to rent her home to negroes because two roomers had been induced to leave her place and take rooms at the adjacent home of Mrs. Alice French, a widow, of 5970 Minerva avenue. The reason they were induced to leave, Mrs. Ryan said, was because there are more young people at French's home and because there is a poker game running there at frequent intervals.

Mrs. French's Explantion

Mrs. French gave her version to a reporter. The couple had mover from Mrs. Ryan's house, she explained, because there had been religious arguments. "But I did not induce them to come," Mrs. French added. "It is true that we do have an occasional game of penny ante, but the limit is smal, and no one ever loses more than 25 or 30 cents."

Mrs. Ryan is 52 years old, and the wife of Francis Ryan, a former furniture dealer, who failed in business about three years ago. Since that time and until this season, she said, he has been manager of an airdome at the Hodiamont tracks and Page boulevard. The theater did not reopen this year, she explained, and she has supported the family.

Want "Ad" a Joke, She Says.

Later, Mrs. Ryan explained to the reporter that the want "ad" had been inserted as a joke, at the suggestion of an acquaintance, who dared her to advertise the place to rent to negroes to see what effect it would have on the neighbors.

When told that the neighbors were preparing to file a suit to enjoin the rental of her property to negros, Mrs. Ryan laughingly remarked:

"They won't have to do that. In the deed to my property there is a clause prohibiting the rental or sale to negroes."

MACON GA NEWS
NOVEMBER 7, 1917

THE RACE SEGREGATION DECISION.

The Supreme Court of the United States has handed down a decision holding as unconstitutional the laws and ordinances adopted in Louisville, Baltimore, St. Louis, Atlanta and other cities, providing for the segregation of the races.

The law directly under review came up from Louisville, where apparently it was declared unlawful to sell property to negroes in certain resident sections of the city.

Associate Justice Day, in handing down the decision of the Supreme Court, has evidently reached his conclusions with some reluctance, and he frankly admits the force of the arguments based on sanitation and looking to the avoidance of race conflicts. At the same time he is compelled to hold that the police power of the state cannot be extended to a point where it violates the plain terms of the constntution, and he therefore declares the laws in question null and void.

The separation of the races on public conveyances and in the schools is at least inferentially upheld.

Judge Day's decision will be generally regarded as one of the most important handed down by the court of last resort in many years. There can be no doubt that in Baltimore, for example, the situation has become acute, and this is probably so in many other cities. It was only after years of effort that such laws were passed, and there has always been doubt as to their constitutionality. This decision brings about an unsettled condition which will be regretted in those centers where it was thought a solution had been found.

The people of the South, speaking generally, are fortunate in the fact that the negroes do not seek or desire to thrust themselves into the residential sections of the white people. They are free to build and to occupy homes as handsome and convenient as their means will permit, and there is no lack of suitable environment in which these homes for the colored race may be constructed.

It is to the good sense of the negro, rather than any legal enactment that we owe the harmony with which the races live together in the South, and this voluntary arrangement will have to be depended upon more than ever, since the court has specifically decided against segregation.

The better element of the negro race understands quite well that it is to their own advantage not to thrust themselves into the white residential districts, and this quiet acquiescence in facts as they are makes for the welfare of both races.

Segregation in the matter of residence stands on a different basis from that which has to do with public carriers and public institutions. It lies in the power of the state to compel the observance of certain laws which concern public functions. But even the Supreme Court of the United States would not undertake to affirm that it is compulsory for a real estate dealer or property owner to sell a home to a negro in the white resident section.

The solution of the whole matter, if the negro in the South should ever depart from his present friendly attitude, therefore lies in the hands of the white man after all. If the situation became acute, no real estate dealer or owner would be found who, even for the sake of an extravagant price, would sell homes to negroes in the residential district.

These are facts which the far-seeking and conservative negroes and leaders of the negro race thoroughly understand, and we do not anticipate any serious result from the decision of the Supreme Court.

U. S. Court to Hear Segregation Cases

An interested group of Baltimore citizens have retained Attorney W. Ashbie Hawkins recently given admission to practice before the United States Supreme Court, to represent them in the segregation cases that the soon to be re-argued before the highest tribunal of the country, says a Washington correspondent in the Freedman. It is recalled that statutes are in effect in Louisville, Atlanta, Richmond, Baltimore, Norfolk, St. Louis, and perhaps other cities, requiring colored and white people to live in separate districts—that they are to be kept separate under conditions based upon the percentage of each race that may be living in certain blocks or sections. These laws are considered detrimental to the proper housing of thrifty colored people. A case involving the validity of the segregation law adopted by the city of Louisville, Ky., was argued before the Supreme Court some time ago, but no decision was reached. It has been thought expedient in view of the changes in the personnel of the court, to review the cases in toto, and several of the cities in which the law is in operation have agreed to let the Louisville case stand as a test case for all the cases at issue. Baltimore, Louisville, Richmond and St. Louis, however, it is said, will file briefs and employ some of the ablest legal talent in the country to contest the validity of the several municipal enactments. The Hon. Moorfield Storey, of Boston, will direct the side of the anti-segregationists, and he is to be assisted by a brilliant array of counsel drawn from both races. The National Association for the Advancement of Colored People, Equal Rights League and other strong organizations of this nature are said to be backing this effort for civil rights and social justice.

Southwestern Christian Advocate
3/3/17.

Segregation—1917

ST. LOUIS HAS REAL ESTATE TROUBLE

By a Staff Correspondent

St. Louis, Mo., May 18.—We are having a bit of trouble here with the real estate question. Here in this big city a white company is not only segregating us by selling into a certain district, but they are so plainly robbing the Race man and woman who buys that the following information will convince the most skeptical. The Argus, a publication of the Race; the two letters from the white people who have made money, and the clipping from the St. Louis Post Dispatch show plainly what is going on. We print the following taken from a circular sent to one member of the Race whom the realty company thought was white. The members of the Race will now clearly see the situation and will open their eyes.

Chicago THE CIRCULAR Defender

FROM ST. LOUIS POST-DISPATCH, JAN. 24/1917

LOTS WHITE MEN BUY DOUBLED IN PRICE TO NEGROES

Realty Company Engages to Resell Sites in New South Kinloch Park Subdivision

WANTS NEGOTIABLE NOTES

Unable to Use Negro Purchasers' Paper as Collateral; Company Officers Explain Plan

While segregation of Negroes in St. Louis is restrained by a temporary injunction in the United States District court and the question is pending in the United States Supreme court, it is being exploited in St. Louis county by a real estate company which is selling lots to Negroes in South Kinloch Park at double the price quoted to white owners.

The Olive Street Terrace Realty Co. is selling 25-foot lots in the subdivision at an average of $150 to white persons and re-selling them at an average of $300 to Negroes, and is doing so well it has just moved from the Merchants-Laclede building to larger quarters in the Boatmen's Bank building.

Negro Subdivision Laid Out

The company first placed on the market the Kinloch Park subdivision. Negroes applied for lots there, but the restrictions prevented sales being made to them. That suggested, officers of the company say, the plan of laying out a subdivision exclusively for Negroes. Property adjoining the Kinloch Park subdivision, restricted to whites, was purchased, and South Kinloch Park subdivision, restricted to Negroes, was put on the market.

Negroes bought readily on the terms of $5 down and $5 a month, but difficulty was encountered when the company wished to use the Negroes' notes as collateral for bank loans. To get around this difficulty the plan of selling to whites and re-selling to Negroes was adopted.

This plan, as explained by officers of the company, is to sell a lot or group of lots to a white person, who makes a small cash payment and gives a note to cover deferred payments at $2.50 per month on each lot.

White Men's Notes as Collateral

The notes of the white purchasers are accepted as collateral at the bank and are discounted by the company, which then undertakes to resell the lots at double the price, charging 10 per cent for its services. If a re-sale is made the white investor receives monthly payments from the Negroes in double the amount of the white person's payments.

This announcement has been running in St. Louis' principal Negro newspaper.

White people who have bought more than one thousand lots in old Kinloch Park have been paying the same price on the same terms as the Colored people who have bought in South Kinloch Park. If there is any difference, the Colored people have been getting the best of it, because South Kinloch Park is nearer the city and has better street car service.

The good Colored people of South Kinloch Park have built themselves a little city of which they have a right to be proud.

More than a hundred homes, three churches, and a splendid public school have been built in the last few years.

And now we have something new that is going to mean a bigger and better South Kinloch Park.

We have been able to induce a number of white people of good standing to come in with us and co-operate with us—to help with their money, their influence and their good will to make South Kinloch Park a bigger and better place for the self-respecting Negro to live and make his home.

We have given these people a big share of our profits in order to get their help because we believe it is for the benefit of everybody concerned.

We have always been ready to give land to churches at a nominal price—because we believe they would help South Kinloch Park.

We have always been ready to give land to schools and public institutions at a nominal price—because we believed they would help South Kinloch Park.

And now we are giving land to a certain number of white people of good standing at a nominal price because we believe their money, their influence and their good will are going to help South Kinloch Park.

If you have any friends who have been thinking of buying, urge them to come out now, because there are bigger and better things in store for South Kinloch Park.

OLIVE STREET TERRACE REALTY COMPANY

TWO LETTERS FROM WHITES

December 21, 1916.

To Whom It May Concern: I have been doing business with the Olive Street Terrace Realty Company for ten years. Knowing them to be thoroughly reliable, I bought nineteen lots in their South Kinloch Park Subdivision, as soon as I heard about the unusually attractive investment they are offering. I did not even take the trouble to go out and look at the property, because I was sure they would make a better selection for me than I could make myself.

In less than three weeks after I bought, some of my lots were sold for me for double what I paid for them.

I am indeed well pleased with my investment. F. F. FLETCHER, D.D.S.
610 Chemical Bldg., St. Louis, Mo.

July 27, 1916.

To Whom It May Concern: I bought four lots in the Negro subdivision of South Kinloch Park from the Olive Street Terrace Realty Company, built two cheap houses on the lots, and sold them immediately for a handsome profit. I am receiving my payments regularly from the Negroes who bought the property from me, and I am highly pleased with my investment.

I am firmly convinced that the class of Negroes who are buying in this subdivision will pay for what they buy and that there is a big demand for this kind of property.

I have been dealing with the Olive Street Terrace Realty Company for about ten years and have always found them reliable, courteous and obliging and best of all, they make money for their clients. MARION E. BEGG

"FIGHT ON SEGREGATION A MISTAKE."

The Richmond Planet
Mar—3—17

The Richmond (Va.) *Times-Dispatch*, which in recent years has been dealing fairly with the colored people and expressing a desire for the betterment of their condition, in its issue of the 27th ult. says:

Our colored friends are making a serious mistake in continuing their fight against Richmond's segregation ordinances. Residents of Richmond take a just and honest pride in the well-known fact that in no community in this country are relations between the races on so sound and friendly a basis. This is largely due to the complete realization on both sides that there are two races, and that all the Supreme Courts of the world cannot unite them. On this foundation, mutual consideration, kindliness and respect have steadily grown.

If by chance our ordinances should be declared invalid, what would it profit the colored people? They would gain the empty satisfaction of a legal victory and certain legal rights, but they would arouse animosity which would lead to conflict. And that conflict would inevitably cost the colored people far more than a judicial decision could ever win for them. The segregation ordinances assure conditions which were better let alone.

We did not need any councilmanic enactments to cause the white and the colored people of this community to realize that there are two races in this community. The races here have been living in friendly relationship for more than two hundred and fifty years. Each real estate agent had, and has always had, a white and a colored list for the rental and sale of property. During a life time's residence in this community, we have no recollection of any colored person securing residential property in exclusive white localities and moving his family there.

The better class of colored people discountenanced all talk of this kind and refused to enter into any combination with disreputable white real estate agents to trade upon such contingencies. Colored people from Virginia are known all over this country and are regarded as the best type of the race has produced. This segregation movement, we believe, started in Baltimore, the dumping ground of the worst elements from all parts of the country. White people who were desirous of exhibiting their prejudices and selling their property at prohibitive prices, conceived the idea of passing the segregation law.

It was intended to apply only to colored people, but upon the advice of counsel was broadened so as to apparently inconvenience the white resident in the same way that it handicapped the colored one. It attacked fundamental constitutional rights and privileges and vitiated them. Then came into action the Negro-haters of Virginia, and conservative white citizens who protested were "swept off their feet," so to speak, and the measure placed upon the ordinance books of the several cities. Should the Supreme Court of the United States declare the ordinance invalid, there will be no action on the part of the colored people here to take any extreme advantage of the decision.

What we ask is the right to live in peace and harmony with our white neighbors; to treat them with courtesy and respect and to be forward in according to them every consideration that our self-respect and early training would justify. We may be making a mistake in contending for our constitutional rights, but those of us who were born upon the plantations of the old aristocrats and who played and romped with their children and studied our "three R's" with the best type of humanity that God has ever created, will not falter in our onward march now for those rights and privileges to which we are justly entitled. Those of us who are lawless, disrespectful and boorish to white people and to each other, we shall aid in putting in the workhouses, jails and penitentiaries, but those of us who mean right and will do right will not falter in an effort to show those prejudiced white men of the commonwealth that they have wounded our pride, injured our self-respect and placed upon us a "ban of suspicion" among all classes of people in this country, that we resent and that we wish now to be cast aside.

Mr. Editor, that segregation act is inconstitutional, from any angle from

which it is viewed. If it encroached only upon a privilege, it could be overlooked, but it violates a fundamental right, second only to life and liberty. We would be unworthy of the respect of men were we to cringingly submit to such a proposition. White citizens should be as forward in demanding its annulment as colored ones. You and yours have wandered far from the paths of rectitude in dealing with us, but the people of this commonwealth are now paying the price and they will continue so to do.

When we see a commonwealth's attorney resigning his office and a judge protecting a poor, helpless colored woman and her husband, we are indulging in the hope that the day is breaking and that thousands of influential white Virginians are now becoming able to see.

ANOTHER REDOUBT TAKEN

Louisville Courier 11/17/17

By James C. Waters, Jr.

Washington, D. C., Nov. 5, 1917.—On April 19, 1916, more than a year ago, Judge Dyer in the U. S. District Court at St. Louis took the first step toward national action to cut the throat of the beast of ghettoism in this country when he spoke as follows:

"The Negro is entitled to the same consideration and the same rights as a white man. The Negro does not want social equality. He wants the same rights before the law as the white man, and he should have them."

Thereupon Judge Dyer entered an interlocutory order enjoining the enforcement of the St. Louis segregation ordinance, remarking at the time that his only reason for not making the injunction permanent was the fact that a similar case from Louisville, Ky., was then pending before the Supreme Court of the United States.

This afternoon the Louisville case was decided, the great court holding that all such segregation ordinances as have been adopted in Louisville, St. Louis, Richmond, Norfolk, Baltimore and Hyattsville, Md., were in contravention of the Constitution of the United States, violative of the Colored man's fundamental rights under the Fourteenth Amendment and therefore null, void and of no effect.

Speaking through Mr. Justice Day, the Court said: "That there exists a serious and difficult problem arising from a feeling of race hostility which the law is powerless to control and to which it must give a measure of consideration may be freely admitted. But its solution can not be promoted by depriving citizens of their constitutional rights and privileges."

The enemies of the race sought to justify their position in the principles of the "police power," that vague power without which the courts have told us that no State can conduct its internal affairs and preserve the health, welfare and morals of its people. Some years ago a legal sharpshooter defined the police power as "an undefined, indefinable politico-judicial concept designed to promote the general welfare of the people, but employed in actual practice as a cloak for unconstitutional legislation and as a deadly means of depriving the Negro of his rights under the fundamental law of the land."

The decision in the Louisville case today served as an opportunity for the United States Supreme Court to reaffirm its faith in and edherence to the doctrine of "the police power" when exercised within legitimate bounds, but, declared the august tribunal, "it is equally well established that the police power, broad as it is, can not justify the passage of a law or ordinance which runs counter to the limitations of the federal constitution."

Thus, another redoubt is taken, another stronghold of the enemy is shot to shreds and lies piled up about the now prostrate and bewildered figure of him whose infamous race prejudice created it.

Notwithstanding the fact that after overturning two or three segregation ordinances passed in Baltimore the Maryland Court of Appeals finally capitulated to the enemies of the race, personally I have never doubted what the Federal Supreme Court would do to these ghetto laws when once they were fairly up for consideration; and less than ever grew my doubts when I had read that splendid opinion of Chief Justice Walter Clark in the North Carolina case of State vs Darnell.

The Louisville decision now completes the work begun in North Carolina and is infinitely more important because resting squarely upon the Federal Constitution, whereas the decision in the Darnell case rested more upon the doctrine of public policy.

SEGREGATION IN BALTO. DEFEATED

Amsterdam News.

Judge Rose Holds That Ruling on Kentucky Case Applies to Local Ordinance

Balto, Dec. 12—That the segregation law of Louisville, Ky., which was recently declared unconstitutional by a ruling of the Supreme Court of the United States does not differ in many respects from the one now in force in this city was the substance of an opinion handed down by Judge Rose in the United States court here yesterday. This decision came as the result of the case of William C. Coleman, coloured, who was before Judge Rose yesterday on a writ of habeas corpus. Coleman was recently arrested and charged with the violation of the segregation ordinance by moving into the 2,000 block McCulloh street, which was a so-called "white block."

Coleman contended that his arrest was illegal on the ground that the ordinance was unconstitutional. Attorney General Albert C. Ritchie and Deputy State's Attorney Roland R. Marchant and City Solicitor S. S. Field represented the city. Mr. Field contended that the recent ruling in the Kentucky case, as a matter of fact, merely dealt with that particular ordinance and that the one in this city was different in many aspects. He said there was a difference in a so-called white and coloured block in this city and in the Southern city, through the fact that there a white or coloured block is decided by the majority of either race in the particular block. In this city the question is settled by the fact that a block must either be entirely black or white.

Jurge Rose in giving his opinion yesterday cited numerous restrictions that are placed on the coloured race. He declared that not in any light could he very well see any difference in the recent ordinance in effect in Kentucky and the one in this city.

A IMPORTANT DECISION

N BEDFORD MASS STANDARD

NOVEMBER 10, 1917

The supreme court of the United States has declared the Louisville city ordinance establishing a segregated district for Negroes to be in direct violation of the constitution The decision, one of far-reaching importance, was unanimous. It means an end to all attempts of southern communities to restrict colored people to a particular district to establish a pale like that in which Russia kept the Jews. The plea that segregation was resorted to in order to arrest and prevent racial antagonism was overruled by the court, which held that while this involved a serious question, it could not be solved by depriving citizens of their constitutional rights and privileges.

The decision is the most important to American Negroes since the Dred Scott case, and is a victory for justice and right.

The Supreme Court Decision.

The decision rendered Monday by the United States Supreme Court, knocking out the Louisville segregation law, is one of the greatest victories won for the race in years. It does now appear that there is a rift in the dark, menacing cloud that has been hanging over the race like a pall, shutting out the light of advancement and justice.

Advocate 11/10/17

This decision, rendered by Justice Day, of our own great state of Ohio, is a notice to the South that her growing policy of repression, and injustice, is at an end; that the Colored man who has given his blood for the establishment and preservation of this country, and who is now rushing to the front to help "make the world safe for democracy," is entitled to justice—no more, no less.

That decision rendered by the Supreme Court cannot help but encourage us all, and arouse within us the belief that, after all, God reigns and the government at Washington still exists.

LET US GIVE THANKS!

SEGREGATION LAW FOR CHICAGO

The Real Estate Board of Chicago is to have the Negro population of that city segregated into restricted sections by legislative action, declares the Chicago Tribune. At a recent meeting of the realty dealers a committee is said to have been appointed to frame a bill for the Legislature and an ordinance for the city council to this end. Violent opposition on the part of the Negroes is expected. The reason for the movement, it is stated, is the immigration flood of Southern Negro laborers, who are pouring into Chicago at the average rate of 10,000 a month. Two prominent realty men are quoted as saying that this influx will do more than $250,000,000 damage to Chicago property. These men claim that this influx of Negro population is doing greater damage than the great Chicago fire of 1871. Using various artifices the Negro real estate dealers are charged with "ruining" white residential districts by obtaining leaseholds on one building in each block and then renting the property to Negro tenants. The real estate men claim that this action causes an immediate depreciation in adjoining property values and that one by one the white tenants move out. The bills which the present session of the Illinois Legislature will be asked to enact are said to be similar to those already in force in Kentucky, Missouri and Maryland, where Negroes are prohibited from maintaining residences outside of prescribed restricted sections of all cities of the first class.

Southwestern Christian Advocate 11/29/17

Segregation—1917

SEGREGATION LAWS UNCONSTITUTIONAL.

Residential segregational laws of Louisville, Ky., and inferentially those of Baltimore, Md., St. Louis, Mo., Richmond, Va., Norfolk Va., Atlanta, Ga., and other Southern cities were declared unconstitutional by the United States Supreme Court, Nov. 5, 1917, according to a dispatch from Washington, D. C., and verified by a later publication of the court's declaration.

The case was long pending before the United States Supreme Court on appeal from the decision the opposite that of the Supreme Court of the State of Kentucky and entailed anxious suspense and much misgiving as to a favorable decision from the latter court especially under a democratic Administration. The decision is a righteous one and far reaching in its effects as applying to the enactments involved and public sentiment. While the decision has a direct hearing in reversing that of the Kentucky Supreme Court upholding the segregation ordinances passed in that State, it involves those of a similar character passed in the cities of other states as above named. It is a notable legal victory and in direct contrast with the United States Supreme Court's decisions in the Dred Scott's case in 1857, and that respecting the Charles Summer Civil Rights Bill handed down in President Cleveland's Administration and will go down in history as one of the Negro race's chief legal accomplishments. But the end is not yet, as indicated by the attitude of the promoters of the nefarious segregation schemes. Efforts will be made in devising evasives of the present decision and the formulation of other legal schemes to effect the same purpose as intended in the enactments of the nulled ordinances. But we must be equal to the occasion, for the fight is still on. While the decision is quite direct and clear in its bearing upon the case in question it will be subjected to a diversity of legal interpretations. The following paragraph is very clear and is not susceptible of erroneous interpretation:

As we have seen, this court has held laws valid which separated the races on the basis of equal accomodations in public conveyances, and courts of high authority have held enactments lawful which provide for separation in the public schools of white and colored pupils where equal privileges are given.

But in view of the rights secured by the fourteenth amendment to the federal constitution such legislation must have its limitation and cannot be sustained where the exercise of authority exceeds the restraints of the constitution. We think these limitations are exceeded in laws and ordinances of the character now before us.

It is the purpose of such enactments, and it is frankly avowed it will be their ultimate effect, to require by law, at least in residential districts, the compulsory separation of the races on account of color. Such action is said to be essential to the maintainance of the purity of the races.

The case presented does not deal with an attempt to prohibit the amalgamation of the races. The right which the ordinance annulled was the civil right of a white man to dispose of his property if he saw fit to do so to a person of color, and of a colored person to make such disposition to a white person.

It is urged that this proposed segregation will promote the public peace by preventing race conflicts. Desirable as this is, and important as is the prevention of the public peace, this aim cannot be accomplished by laws or ordinances which deny rights created or protected by the federal constitution.

We think this attempt to prevent the alienation of property in question to a person of color was not a l
the police power of the state, and is in di
constitution.

That the Court was unanimous in its decisi
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Court toward these local segregational ordinan
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statutory such as Jim Crow, disfranchising and
lation be made statutory in the Federal Code or Co
abrogating the 15th Amendment without resort to a direct repea
of the Constitutional enactment. Justice Day, selected to announce
the Court's findings made adverse reference to other discriminating
laws against the race emphasizing caution in the matter of "limitations" almost questioning their legality in the face of the Constitution.

While we are grateful and much cheered with this favorable decision from the chief tribunal of the nation, we still long to see and are hopeful that other obstructive legislation in the denial of our citizen rights and civil privileges will be passed upon as favorably when brought to the Court's attention for final decision as we are sure they will be speedily called upon to render. We are inclined to think that the present world situation in which this country is directlya nd seriously involved has had something to do with the decreeing of the Supreme Court at this opportune time, and something to do with influencing the Court's action in favor of the appealants. Be that as it may it is a decided blow to discriminating laws and local ordinances.

COURTING SEGREGATION.

St. Louis Argus 4/27/17.

There is much talk among a certain class of Negroes of this city concerning a proposed hospital to be built and maintained by the city of St. Louis for the exclusive use of the Negroes, it being understood that colored doctors and nurses are to have charge of same. At first sight this may appear to be a good thing for the race by some, but when given intelligent thought, such a movement is the most dangerous form of segregation. Dangerous from many viewpoints when given an impartial consideration. In the first place, segregation on account of races is *bad* in its best form. Secondly: It is *worse* when it has the sanction of the government, the commonwealth or the municipality, and thirdly: it is *intolerable* when it has the sanction of a few Negroes who are willing to sacrifice the progress of the whole race for their own personal benefits. The strongest argument the Negro can make in favor of segregation is to ask for it. One form of segregation is the stepping stone for another.

We believe that the mayor and the city officials are willing to do something specially beneficial for the Negroes of St. Louis. but we warn them that the hospital proposition is a dangerous one. It will not be beneficial to the race. On the other hand, it will foster segregation by giving it official sanction.

There are a large number of colored patients in the City Hospital who must be looked after; we see no reason why colored doctors and nurses should not serve them. It would be less expense to the city, and would be more in keeping with the spirit of the time: *All men up* and no man down.

Decision in Louisville Case

The Daily Herald 1917.

AFFECTS BALTIMORE

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similar to ordinances passed by those cities to prevent the depreciation of property by the moving of Negroes into white neighborhoods.

There was surprise among lawyers in the court, in view of the strong representation which the South has on the high bench that the decision was unanimous. Because of this lawyers believe that the death knell of the segregation ordinance, in no matter what form drawn, has been sounded.

In rendering the opinion, Justice Day said:

"The authority of the state to pass laws in the exercise of the police power, having for their object the promotion of the public health, safety and welfare is very broad and has been affirmed in numerous and recent decisions of this court.

Can't Oppose Constitution.

"But it is equally well established that the police power, broad as it is, cannot justify the passage of a law or ordinance which runs counter to the limitations of the Federal Constitution.

"That there exists a serious and difficult problem arising from a feeling of race hostility which the law is powerless to control and to which it must give a measure of consideration may be freely admitted. But its solution cannot be promoted by de-

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straints of the Constitution. We
think these limitations are exceeded
in laws and ordinances of the char-
acter now before us."

SEGREGATION DYING HARD.

Old man segregation is dying—fast dying, but dying hard—that is as far as Baltimore is concerned; for all over this broad land of ours, he has been deceased and duly buried ever since the late decree of the superior tribune of our fair democracy, declaring him unfit to operate among the people.

Dying hard is what we said. Just look at the latest efforts locally to revive this old haunting creature. When a gentleman was taken under the custody of the law for removing into property that is his own, and when about to be released upon a writ of haebus corpus, the state's attorney department requested that the hearing be delayed, giving that old red-blooded segregationist—"Doc." S. S. Field—we wonder what the "S. S." stands for—and his colleagues an opportunity to be present at the operation to give old segregation a few injections in order to prolong his suffering. But justice

Washington News Letter

HERALD BUREAU,

Washingon, D. C., Nov. 6.

The Supreme Court Decision.

Washington colored people are feeling a sincere elation at the recent decision of the U. S. Supreme Court which nullifies the home segregation ordinances of Louisville, Baltimore, St. Louis, Richmond and other Southern cities. While it is not generally known, a movement has been on foot for some time in this city to prevent, by city ordinance, the occupancy of homes, whether owned or leased in certain localities by colored people.

Failing as they have done from time to time to get Congress to pass a segregation or separation statute of any kind, even in the matter of public schools, the race was planned as a public order and peace necessity calling for such an ordinance.

Had the decision of the Supreme Court not overturned that of the state courts it would not have been long ere Washington would have promulgated such an ordinance.

APPLAUDS S. C. FIAT ON NEGRO DISTRICT

Hopes "Jim Crow" Ordinances Will Be Declared Invalid.

BROOKLYN N Y EAGLE
NOVEMBER 15 1917

Editor Brooklyn Daily Eagle:

The decision of the Supreme Court on the odious segregation ordinances passed in Baltimore, Louisville and other Southern cities, demonstrates again that this tribunal is not infrequently called upon to judicially determine the negro an unquestionable member of the human family and entitled to all the rights of man; that a member of that large body of citizenship called white, can claim nothing for himself as a man, which he must not accord to a member of that smaller citizenship, called black. It is unfortunate that in a country where democracy is the gospel preached, the Supreme Tribunal is so often called upon to impress such a simple act of justice on some communities.

The Louisville ordinance, which became effective May 11, 1914, was enacted according to the Solons, "to prevent conflict and ill feeling between the white and colored races in the City of Louisville, and to preserve the public peace and promote the general welfare by making reasonable provisions, requiring, as far as practicable, the use of separate blocks for residence, places of abode and places of assembly by white and colored, respectively."

Though cleverly drawn and worded, and having the outward appearance of honest motive, the aim and purpose was a deliberate and bold attempt to segregate and Jim Crow the black man, aside from negativing the express provisions of the Constitution, prohibiting a State from passing any law impairing the obligations of a contract, or depriving a citizen of his property, without due process of law, in that it prohibited him from disposing of his property to citizens of a certain race in certain localites.

In the near future this same court will be asked to determine the constitutionality of the odious Jim Crow ordinance, and it is to be hoped that the same sane reasoning, which influenced its decision in the segregation case, will be applied to an ordinance which accords a citizen of one color superior rights to those of another, since such is repugnant to the Constitution.

Justice Day observed in the segregation case: "The authority of the State to pass laws in exercise of the police power, having for their object the promotion of public health, safety and welfare, is very broad, and has been affirmed in numerous and recent decisions of this court. But it is equally well established that the police power, broad as it is, cannot justify the passage of a law or ordinance which runs counter to the limitations of the Federal Constitution."

Now, in the season when the votaries of democracy are dispatching messengers to foreign shores to disseminate a doctrine so frequently enunciated, but so seldom practiced at home, is the time for the court

of a proper exercise of the police power of the State, divests one portion of its citizenship of rights enjoyed by another; and in the meanwhile:

"Still to ourselves in every place consign'd,
Our own felicity we make or find."

MILFORD HOPE.

KNOCK-OUT FOR "SEGREGATION"

Raleigh (N. C.) Times.

The decision of the United States Supreme Court which holds unconstitutional the segregation law of Louisville, Ky., ought to mark the beginning of a reaction against a pernicious habit of assuming that the Constitution contains nothing that is sacred against politics or temporary or local public opinon. The Louisville segregation statute was similar to those enacted for Richmond, Baltimore, and other Southern cities. It attempted to prevent the conveyance of property held in certain districts except to members of one race. Although its purposes was frankly to create barred zones for both white and colored residents, it was sought to justify the law on the plea that it tended to preserve racial purity and was thus a measure within the police power. The Supreme Court disposes of that contention with the brief statement that, broad as the police power is, it cannot operate in contravention of explicity provisions of the Constitution. To restrict the right to convey land is as clear a violation of the Fourteenth Amendment as could well be imagined.

As we said above, it is to be hoped that this decision will tend to discourage the widespread practice of passing extravagant laws and then trusting the Supreme Court to find some method of dodging the Constitution. It does not matter that courts all over the country—and that includes the "Most Highest,"—have encouraged this habit. If we are to live in a country rested on broad legal principles, we shall have to learn that the test is the good of the country and not that of any particular section. It doubtless is desirable in some instances that there be a property segregation of the races. There is scarcely a Southern city that has not witnessed the melancholy spectacle of once desirable sections turned into slums by insidious encroachment of Negro property owners. The same thing happens, however, when a chemical works, a packing plant, or any one of a number of different trades and industries gets a nose into a residential district. The camel follows and the occupant of the tent gets out. The only legal protection against such happenings is voluntary segregation and personal protection of property. To attempt to cure a particular offense in our city inevitably works toward commission of wrong and weakening of the law in all parts of the Nation.

As for the police power, it is probably true that it has done ten times more harm with its insidious doctrine cratic liberty than it has done good with the sum total of all its benefits. It is gratifying to see that the Supreme Court has at last come to the point of definitely limiting the application of a theory that has seemed to be illimitable in license. What a number of Southern cities have attempted by statute has been agitated in North Carolina for the rural districts. We will now, we trust, have heard the last of these half-baked appeals to demagoguery in this State.

SEGREGATION IS DEAD LETTER IN RICHMOND NOW.

The Richmond Planet Dec. 22, 1917

All Pending Cases Will Be Dismissed City Attorney's Office Having Ruled That U. S. Supreme Court's Decision in Case of L. Warley Knocks Out Richmond's Law.

The race segregation law is a dead letter in Richmond.

In Justice Crutchfield's court today what probably will be the last case ever brought under the ordinance was dismissed, and numerous cases which have been appealed to the hustings court will be dismissed.

Negroes, as well as whites, are now at liberty to set up their residence wherever they choose to do so.

From the office of the city attorney, Justice Crutchfield today received the following:

December 13, 1917.

"Hon. J. J. Crutchfield,
"Police Justice, Richmond, Va.,
"Dear Sir:

"Referring to the various segregation cases which I am informed are being from time to time brought in your court, I beg to call your attention to the decision of the supreme court of the United States in the case of Buchanan vs. Warley, October term, 1917, in which the court—Mr. Justice Day delivering the opinion—held that the segregation ordinance of Louisville, Ky., was unconstitutional and void.

"This ordinance, in all essential respects, was identical with the ordinance of the city of Richmond, which therefore, is necessarily within the scope of the decision and in the opinion of this office, is uncontitutional and void.

As a consequence, all cases now pending on appeal in the hustings court of the city either have been or will be dismissed and such cases as are brought before you should also be dismissed.

Segregation – 1917

THE LOUISVILLE SEGREGATION CASE.

The brief filed by Mr. Moorfield Storey in the Louisville Segregation case that was reargued several days ago before the United States Supreme Court makes it difficult to see how the Court can do anything else but render a favorable decision. It meets and knocks out every plea made in favor of segregation.

The old argument was made that such an ordinance is fair because it applies equally to both races. In reply to this argument the brief reads as follows: New York Age, 5/10, 17.

> In the present case it is contended that the difficulty is met by the provision that white persons shall not occupy buildings in "colored blocks." As well argue that an ordinance which prevented a denizen of Five Points from moving into Fifth Avenue could be sustained because it forbade the dweller on Fifth Avenue to move into Five Points. Anatole France has commented upon the absolute justice of the laws which prevent rich and poor alike from sleeping under the arches of the bridges which cross the Seine and from begging in the public streets. A law which forbids a Negro to rise is not made just because it forbids a white man to fall.

The last sentence of the above paragraph is a classic. Never before has that favorite old fallacy about the law applying equally to both races been knocked out with fewer words.

We should like to reproduce here the greater part of this brief. However, we must quote the paragraph in which Mr. Storey answers the contention that segregation tends to avoid, friction, disorder and riots. The brief reads:

> At Palm Beach in Florida Negroes act as chauffeurs; if they appear in Miami they are mobbed and the result is a breach of the public peace. In some places they are attacked if they engage in certain employments which the whites wish to monopolize, and violence may be used in the effort to prevent them.
>
> Would the police power justify a law forbidding them to act as chauffeurs in Miami, or to engage in any lawful employment anywhere, because they might be attacked if they did so? If so, they have no rights. If not, this ordinance cannot be sustained, for it is defended on the ground that one body of citizens may take from another body their clear rights in order to prevent lawless attacks upon the latter by the former. The only policeman who ever fancied that such a police power existed was the wolf in his dealings with the lamb.

If this case is not won for the race, it will not be because the case was not ably presented.

SEGREGATION FOLLOWING NORTHERN MIGRATION

Chicago Real Estate Board Adopts Plans For Legalizing Proscriptive Measure On Accohnt Of Increase In City's Negro Population From South—Pittsburg Facing Serious Housing Problem.

Journal + Guide. 4/28/17.

In the course of this series of articles dealing with the migration movement The Journal and Guide has several times expressed the opinion that segregation and unwholesome living conditions would follow wherever any considerable number of the immigrants settled in the North, and that the members of the race who are seeking through migration to escape these disadvantages in the South would eventually meet them in more aggravated form in the North.

If we had any real faith in the philosophy that transplanting the Southern Negroes in the North through the medium of a general unorganized exodus would remove the cause or cure the effects of their problems we would have a different view of the migration movement. The root of the American race problem is race prejudice, and race prejudice is a human problem with no geographical boundaries. We are not defending nor excusing race prejudice anywhere, North or South. Race prejudice is indefensible anywhere, and Southern people, both white and black, especially white, are learning that it is unwise to cultivate it, and especially is it unwise at this time when so many questions of vital moment are confronting the nation, requiring the best patriotism and the best common sense of all the people in their solution.

Normal Movement Not Injurious.

The normal movement of members of the race from one section of the country to another, or from the thickly populated black belts of the South to the North would not to any noticeable extent affect the political, social or economic status of the race. When a growing plant is pulled up the roots generally come with it, and we are finding that the same principle obtains wherever members of the race are transplanted in the North in large numbers. The roots of their political, social and economic problems follow them just as surely as night follows day.

Chicago Leads In Segregation Movement.

The first evidence of the above truth manifested itself in the announcement a few days ago that in Chicago, which for months has been inviting the Southern Negroes to "come up out of Egypt," the real estate board had launched a movement to bring about municipal race segregation. The net result will be the exploitation of the thousands of new Negro families in a manner that will fasten upon them the weight of an economic pressure which they cannot long endure. Unless the Supreme Court interposes and places the ban of illegality upon the iniquitous segregation ordinances colored people in Chicago will find themselves confronted with the same form of proscription that they left the South to evade.

Northern Cities Unprepared To Care For Great Influx.

In commenting upon the migration movement the Baltimore "Afro-American Ledger" says editorially: "One of the proylems, if there were no others, is the housing of this great population in already congested districts, in almost every large city in the country. This influx must be cared for in some way and there is hardly a city in the country ready to take care of an increase in population numbering hundreds and in some cases thousands. In ordinary times the increase is gradual and preparations can be made to take care of this increase, but where there is a sudden influx of hundreds there is at once a problem.'

Living Conditions In Pittsburgh.

"The leaderless masses," going where they can find better living conditions, is the designation often applied to the migration movement by zealous adherents of the exodus. Pittsburgh, Pa., is a typical Northern industrial city, and one which has afforded for many years employment to thousands of colored men. An idea of the housing conditions in Pittsburgh from an article which appeared in the current issue of the Pittsburgh "Courier," in which it is stated that the colored masses were compelled to "live in shacks with no modern conveniences." "But our chief problem," says the "Courier," "is the accommodation afforded the Negro. . . . Shacks unfit for cattle are occupied by Negroes. In some instances families with several children are housed in quarters reeking with filth and veritable hotbeds for disease; where rodents and verwin lose their natural timidity for man and scamper about with bold assurance. Here are bred the germs of tuberculosis and other diseases with the propagation of which the Negro—given an ordinary chance to live—is unfairly charged."

The Remedy For Existing Conditions.

No one who is at all familiar with conditions in the South can deny that the Negro has been unjustly and even brutally treated in the South, and especially in the far South. With lynching, disfranchisement and segregation in combination with the iniquituous crop lein laws the race has had almost insuperable obstacles to combat, in spite of which we have made almost superhhman progress since emancipation. Lynching is beginning to react upon the lynchers, and we are approaching a new awakening of the public conscience in a mighty protest against this diabolical sin of the South in which practically every influential Southern paper has joined during the past few months; the United States Supreme Court has declared the "grandfather clause" unconstitutional, and in most of the Southern States where it operated to disfranchise the Negro nothing prevents him from exercising the right of suffrage now except a failure to pay the capitation tax; segregation is losing popularity and its fate now hangs in the balance before the Federal Supreme Court and the days of the notorious crop lien laws are numbered all over the Southern States. All present indications point to the fact that the Southern Negro is at the threshold of a revolution in his political, social and industrial status. The puestion is, will he stand still and hasten by sensible means at hand the amelioration of present conditions or will he throw away a great industrial opportunity by following the lead of labor agents to an uncertain future in unknown lands?

NEGRO SEGREGATION LAW IS INOPERATIVE

Judge Dyer to Make Temporary Injunction Order a Permanent One.

The negro segregation ordinance adopted at a special initiative election in St. Louis Feb. 29, 1916, but rendered inoperative by a temporary restraining order issued by Federal Judge Dyer, was unconstitutional and therefore will not be enforced.

This ordinance, which was vigorously opposed by the Post-Dispatch as violative of the rights and liberties of free citizens, was "knocked out" yesterday by a decision of the United States Supreme Court as to the validity of a segregation ordinance adopted in Louisville, essentially the same as the St. Louis measure.

To Issue Permanent Injunction.

Wells H. Blodgett, attorney for citizens who obtained the temporary injunction against the enforcement of the St. Louis ordinance, has announced that he will ask that the injunction be made permanent when he receives a copy of the Supreme Court decision.

Judge Dyer today said he would make the injunction permanent when asked to do so. In view of the Supreme Court decision based on fundamental constitutional grounds, he said, he could pursue no other course.

In its decision the Supreme Court said: "The right which the ordinance annulled was the civil right of a white man to dispose of his property if he saw fit to do so to a person of color, and of a colored person to make such disposition to a white person."

The St. Louis ordinance as put before the voters contained two propositions: One prohibited a white person or a negro from moving into a block entirely occupied by persons of the opposite color. The second proposition prohibited a white person or a negro from moving into a block in which 75 per cent of the buildings are occupied by persons of the opposite color.

Position Now Justified.

On the day after the election the Post-Dispatch said in an editorial:

"The opponents of segregation suffered an honorable defeat in Tuesday's election. They stood for principle against overwhelming forces of power, interest and prejudice. A minority with right on its side is better than a majority supporting wrong. It will be justified in the long run."

The carrying of the Louisville ordinance to the United States Supreme Court was regarded by other cities as a test case. Similar measures

DIVISION OF BEHAVIORAL SCIENCE RESEARCH

were passed in Baltimore and Richmond, but, as in St. Louis, they were not enforced pending the Louisville decision.

SPRINGFIELD [illegible]
NOVEMBER 11, 1917

Segregation Ordinances Unconstitutional

The unanimous decision of the supreme court of the United States that the Louisville Negro regregation ordinance is unconstitutional is of importance not only as affecting the progress of the Negro race in this country but as strengthening a principle of our fundamental law upon which the welfare of all of the people depends.

The Louisville ordinance, similar to ordinances recently enacted in St Louis, Baltimore, Richmond and other southern cities, made the city block a unit, and members of each race were prohibited from moving into a block where the majority of residences were occupied by those of the opposite color. On its face the law is impartial, and might even work a hardship to white residents; in case, for instance, some change, like the removal of the railroad tracks from the banks of a river should increase the desirability of a district as a residential site. The intention of the ordinance, of course, was eventually to exclude Negroes from certain districts, and compel them to inhabit others. Such a law, if allowed to stand, would be a precedent for discrimination against groups of other racial or national origin. We do not want any Ghettos in this country. Residential groupings by voluntary acts, conforming to taste, pocket-book, congeniality for whatever reason, there are bound to be. But such groupings must not be aided by arbitrary abridgment of "the privileges or immunities of citizens of the United States," which the constitution forbids.

Justice Day is rendering the opinion of the court said:—

That there exists a serious and difficult problem arising from a feeling of race hostility which the law is powerless to control may be freely admitted. But this solution cannot be promoted by depriving citizens of their rights and privileges. The right which the ordinance annulled was the civil right of a white man to dispose of his property if he saw fit to do so to a person of color and of a colored person to make such disposition to a white person.

We think this attempt to prevent the alienation of the property in question to a person of color was not legitimate exercise of the police power of the state and is in direct violation of the constitution.

The court took note of the upholding, in previous decisions, of certain "Jim Crow" laws, "where equal privileges are given," but held that such legislation "must have its limitations and cannot be sustained where the exercise of authority exceeds the restraints of the constitution." Right of access to the soil is a fundamental one exclusion from it by law, whether the soil be an infertile farm or a desirable residential district, would be a peculiarly marked limitation of equal rights before the law. The unanimity of the court's decision makes it all the more impressive, and the impressiveness is not lessened by the fact that the chief justice is a citizen of Louisiana and Justice McReynolds of Tennessee.

NEGROES DEFEAT SEGREGATION ACT

Nashville Globe
6/29/17

Business League Instrumental—Mayor And City Counsel Visited.

Muskogee, Okla., June 25.—The proposed segregation ordinance which a few narrow minded unpatriotic white men sought to pass here was defeated by the city council last week after a determined fight made against the nefarious bill by the colored people of this city through the local business league. The following petition was presented to the mayor and the city council at its meeting last week and upon the vote thecouncil defeated the proposel law:

The Honorable Mayor and City Council:

The Negro Business League of this city has selected us to come before you for the purpose of entering its protest and objestion t othe proposed ordinance having for its object the segregation of the Negroes in this city.

Our people cannot but view with alarm the spirit of race antipathy the enactments of such an ordinance will necessarily produce.

In no other city in the country is the relation between the races so pleasant as in Muskogee.

In no other place do the white business and professional men co-operate with the black business and professional men to suppress the mob and the mob spirit as here.

In no other city, in the South, have large sections of black men discarded the party badge and voted for men because of their worth to the community as here.

At thistime our city is more prosperous than it has been for the last seven years and we are anxious for that prosperity to continue. We flatter ourselves with the belief that you gentlemen are largely responsible for that prosperity. You may have had your differences in bringing this prosperity, but you have brought it just the same and we gladly give you credit for it. You are entitled to it.

The Negroes object to the enactment of the contemplated ordinance, among others, for the following reasons:

1.—Because it will hamper and retard the prosperity and progress of our city.

2.—Because it will strain and disrupt the pleasant relations which have existed between the races here since the foundation of the city.

3.—Because it will depreciate the values of prosperity owned by Negro and not enhance the values of property owned by white people.

4.—Because history and experience teach that Ghetto districts do not receive the same appropriations and considerations at the hands of the city government as other parts of the city.

5.—Because these districts never have sufficient gas, lights and sewerage; and street improvement is very rare. The highest death rate of the city is always found in segregated districts.

6.—Because insurance companies do not seek business in segregated districts.

7.—Because these districts are eye sores of the city and the very incubators of crime.

8.—Because segregation ordinances preclude the right or contract of the citizen.

9.—Because there ordinances are manifestations of race hatred, and not prompted by a spirit of charity.

10.—Because they impose an unnecessary hardship upon those who live in such districts when they attempt to secure legitimate loans upon their property.

11.—Because the Negroes, to a certain extent, have segregated themselves in this city and no further segregation is necessary.

12.—Because there is a large class of our people who pride themselves upon the fact that they are seeking the highest and best in civic development and to require them to curb these high aspirations and to live in districts prescribed by law is repugnant to the genius of our institutions.

WHEREFORE, we ask that the contemplated Ordinance be not passed.

H. T. WALKER.
E. B. WEAVER.
J. E. JOHNSON.
S. W. CLEMONS.
Com. Negro Bus. League.

JUDGE FRITCH URGES A STATE FOR NEGROES

Says Best Solution To Negro Problem Is Segregation

AKRON O JOURNAL.
JULY 7, 1917

After carefully considering the American negro problem as it presents itself in the Summit county common pleas courts. Judge E. E. Fritch, Saturday, announced his solution of it.

After having disposed of a large number of criminal cases Friday, the judge found that 31 per cent. of the offenders were negroes, a large number of whom were assessed $100 fines for gun toting.

In an interview to the Beacon Journal Fritch said: "There is only one solution for the negro problem that appeals to me as feasible and proper, that is segregation. A certain state or territory ought to be set aside for them, as for the Indians. Within that state or territory the negro should be given absolute political freedom to make his own laws, elect his own officers and levy his own taxes. As soon as a negro sets foot outside of his own state he should be disfranchised. Likewise any white man who goes into the negro state should lose his political rights. This scheme would make the negro master in his own domain, subject only to national laws like other citizens."

Fritch declared that the intermingling of the two races is detrimental to the white race as well as to the negro because it not only works social evils but also creates in the white man a disregard for the law which says the negro shall have the same rights as the white man.

"Until the negro has his ambition awakened and becomes aroused to his own responsibility through self government, and the knowledge that he is self dependent, he will be a menace to himself and to society," Fritch said.

SEGREGATION LAW DECLARED ILLEGAL

11/6/17
Atlanta Constitution

Supreme Court Decision in Louisville Case Will Undoubtedly Affect Atlanta Ordinance, Says City Attorney Mayson.

Washington, November 5.—Compulsory separation of the negro and white races in residential districts is a violation of the constitution, the supreme court held today in an unanimous opinion declaring invalid the Louisville, Ky., segregation ordinance. The measure, which prohibited persons of either race moving into blocks in which a majority of residents were of the opposite color, is similar to ordinances now in effect in St. Louis, Baltimore, Richmond, Atlanta and many other southern cities.

Such laws, the court decided, would not prevent the amalgamation of the races as was claimed by the Louisville authorities, or prevent race conflicts.

"Desirable as this is and important as is the preservation of the public peace," said the opinion, "this aim can not be accomplished by laws or ordinaces which deny rights created or protected by the federal constitution." Laws providing for the separation of races in public conveyances and in the public schools where equal privileges are given, the court pointed out, have been upheld, but it asserted that such legislation must have its limitations and cannot be sustained where the exercise of authority exceeds the restraints of the constitution.

The court's action was a reversal of the lower court which held the ordinance to be a reasonable exercise of the state police powers. The ordinance was enacted in 1914 and the case was argued twice in the supreme court.

City Attorney James L. Mayson stated last night that while he could not say for certain until he received a copy of the supreme court paper he was of the opinion that the ruling of the supreme court affected the Atlanta segregation ordinance as it did the Louisville segregation ordinance, making both legal.

"The Atlanta segregation law," stated the city attorney, "was modeled after the Louisville ordinance, former objectionable features having been left out. I am certain that when copies of the supreme court's decision invalidating the Louisville ordinance are received here that the Atlanta segregation ordinance will be found invalid."

The Atlanta segregation ordinance was passed by council several years ago. It holds that in a block in which more white people live than negroes, negroes are barred. Similarly, the ordinance holds that whites cannot live in a block in which there is a preponderance of negro residents.

NEGROES ARE ORDERED TO MOVE FROM BLOCK

Atlanta Constitution

Isom Gordon and Lula White, two negroes of 124 and 126 Mayson avenue, Friday afternoon in the recorder's court were given 10 days in which to move, it being alleged that they were guilty of violating the segregation ordinance passed by council last April. Jeff Hoke, a white man, who lives at 134 Mayson avenue, and who owns his property, said that the two negroes had moved next him after the passing of the ordinance, and that they were living in a white neighborhood. Recorder Johnson decided in favor of Mr. Hoke because it was testified that at the time of the passing of the ordinance more white families than negroes lived in that particular block on Mayson avenue.